

1 STATE OF ALASKA

2
3 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC
4 DEVELOPMENT

5 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
6 BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS & LAND
7 SURVEYORS

8
9 Minutes of Meeting
10 February 3-4, 2011

11
12 By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6,
13 the Board of Registration for Architects, Engineers and Land Surveyors held a meeting
14 February 3-4, 2011 at 333 Willoughby Avenue 9th Floor conference room A, Juneau AK.

15
16 Thursday February 3, 2011

17
18 **Agenda Item 1 – Call to Order and Roll Call**

19
20 The Chair called the meeting to order at 8:05 a.m.

21
22 Members present and constituting a quorum of the Board were:

- 23
24
- Richard Heieren, Land Surveyor, Chair
 - Boyd Brownfield, Civil Engineer, Vice Chair
 - Clifford Baker, Land Surveyor, Secretary
 - Donald Shiesl, Public Member
 - Burdett Lent, Landscape Architect
 - Daniel Walsh, Mining Engineer
 - Harley Hightower, Architect
 - Brian Hanson, Civil Engineer
 - Craig Fredeen, Mechanical Engineer
 - Eric Eriksen, Electrical Engineer
 - Richard Rearick, Architect
- 25
26
27
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34
35

36 Representing the Division of Corporations, Business and Professional Licensing were:

- 37
- Don Habeger, Director
 - Sara Chambers, Professional Licensing Program Coordinator
 - Cathy Mason, Administrative Officer
 - Jun Maiquis, Regulations Specialist
 - Vern Jones, Executive Administrator
 - Alicia Kelly, Licensing Examiner
 - John Savage, Investigator (via telephone)
- 38
39
40
41
42
43
44
45

46 Representing the Department of Public Safety, Fire Marshall's Office was:

- 47
- Kelly Nicolello, Assistant State Fire Marshall
 - Carol Olson, Plan Review Supervisor
- 48
49
50

51 Members of the public in attendance for portions of the meeting were:

- 1 • Janet Matheson, Architect representing Alaska AIA
- 2 • Jeffery Wilson, Architect representing himself
- 3 • Sean Boily, Architect representing himself
- 4 • Mike Lukshin, PE representing himself
- 5 • Richard Pratt, PE representing himself
- 6 • Stanley Sears, PS representing himself
- 7 • Ken Ayers, PS representing himself

8
9 Chair: Bert, could you lead us in an invocation before we do roll call?

10
11 Lent: Says a short prayer and then leads the group in the Pledge of Allegiance.

12
13 Roll Call – All present except for Fredeen.

14
15 **Agenda Item 2 – Review/Amend Agenda**

16
17 Chair: There are an extensive amount of agenda changes, do you want to make all those
18 changes right now or can you present those as we come to them.

19
20 Jones: The majority of them are just informational correspondence received.

21
22 Chair: Are there any changes or amendments that anyone would like to see? Richard?

23
24 Rearick: Under 9 A Old Business we still have BIM under old business. I don't think that is
25 an old business item it's just something we are monitoring.

26
27 Baker: Under 16 B I don't have a formal report.

28
29 Chair: Any others.

30
31 Hightower: We need to add all those 8's

32
33 Jones: Those are all those informational correspondence items. I do have one other thing
34 under New Business. Election of Officers will be 19 C.

35
36 Chair: Adds that we will do the Elections and the new officers will take office at the August
37 meeting.

38
39 Jones: One more, we have two consent agreements that we need to do.

40
41 Chair: Let's do it at the beginning of the executive session.

42
43 0810 – Craig Fredeen arrived.

44
45 Chair: Any other amendments. Dan?

46
47 Walsh: Asks if they need to digest all the written comments before the public comment
48 period.

49
50 Jones: Adds that the large packets in the clips are written comments up to close of
51 business yesterday.

52
53 Lent: Suggests that since there are so many comments that maybe this could be carried

1 over to the next meeting.

2
3 Chair: I think that's pre-mature. We are closing the public comment period tomorrow and
4 not sure we need to decide that until tomorrow.

5
6 Jones: Advises that the public comment for the first group of regulation changes that
7 include the engineering regulations closes today and we gave it to you in a big packet so
8 you could read it overnight. You're not going to take any action until tomorrow at the
9 earliest. The surveyor comments close on the 7th of March.

10
11 Brownfield: Adds that it's important to read the packets before we take action but not
12 necessary before the oral comment period.

13
14 Chair: Agrees that we don't have to evaluate the written before we hear the oral.

15
16 Eriksen: Thought we could read them to get in the right frame of mind for the oral
17 comments.

18
19 Chair: We could have lunch brought in and read them then.

20
21 Fredeen: Asks if they should accommodate Grant Baker somewhere in the agenda?

22
23 Chair: Advised that he received word that he would not be able to attend.

24
25
26
27 **On a motion duly made by Baker, seconded by Rearick it was**

28
29 **RESOLVED, to approve the agenda as amended.**

30
31 Hearing no objection the motion passed unanimously.

32
33 **Agenda Item 3 – Ethics Reporting**

34
35 Chair: Craig did you want to say something?

36
37 Fredeen: Asks if he should recuse himself on the discussions on general licensure due to
38 his emails concerning the subject with the public.

39
40 Rearick: Believes that Fredeen's expertise would be important to the discussion because
41 he knows a lot about the subject.

42
43 Walsh: Asks for clarification on the issue.

44
45 Fredeen: Explains that he had conversations with FPE's via email concerning the subject.

46
47 Chair: Makes a decision that he can let his conscience guide him on whether to participate
48 in the vote but that he should be part of the discussion.

49
50 Rearick: Discloses that he is the president of AIA Alaska and has had discussions
51 concerning the regulation changes and would like to participate in the discussions but would
52 recuse from voting if the Board feels it appropriate.

53
54 Brownfield: Feels that it is up to the individual regarding participation. If they feel they can

1 be objective and impartial and not have an agenda the more participation the better.

2
3 Eriksen: Reveals that he is a past president of ASPE but has not participated in their
4 discussions on the regulation changes.

5
6 Chair: Advises that perception is important in any public body and if in doubt to recuse
7 yourself from voting. Adds that he belongs to a professional society and had an AG give
8 him a memo that said if he could keep it separate and he also stated that perception is the
9 important thing.

10
11 Shiesl: I may be the only one voting here.

12
13 Eriksen: Doesn't think that the perception exists in his case.

14
15 Walsh: Every engineer here is involved with a professional society so if we follow that
16 guidance Don probably would be the only one voting.

17
18 Chair: Clarifies his statement to mean if your involved as an officer or on the Board of
19 Directors you should, in his opinion, recuse from voting.

20
21 Baker: Asks if Eric having recused from involvement in his society discussions solved the
22 ethics problem?

23
24 Chair: I'm just telling what the AG's memo said that when it came to issues of perceived
25 conflict to err on the side of caution and recuse yourself from voting. Are you still on the
26 Board of Directors?

27
28 Eriksen: Yes, so is it just from voting? Can I still participate in the discussion?

29
30 Chair: Yes, absolutely. Has your society came out in favor or against?

31
32 Eriksen: I don't know, I haven't read their document I've been trying to stay out of it. The
33 National has come out with statement that is pretty general and I perceive that they would
34 want to follow suit but I don't know.

35
36 Chair: In the past other AAG's have issued opinions that you should actually resign your
37 position on a society as an officer or on the Board of Directors.

38
39 Eriksen: I am an outgoing past president and wouldn't have an issue not voting but would
40 like to participate in the discussion.

41
42 Chair: Everyone should participate in the discussion and you can abstain or you can
43 overrule what I just told you and vote, that's your prerogative. Any other ethics reporting?

44
45 **Agenda Item 4 – Review and approve minutes of November 16-17, 2010 meeting.**

46
47 Baker: I'd like to mention that they have the secretary right this time.

48
49 Chair: do I hear a motion to approve the minutes.

50
51 **On a motion duly made by Shiesl, seconded by Baker, it was**

52
53 **RESOLVED to approve the November 16-17, 2010 meeting minutes as**
54 **amended (punctuation and grammatical correction as submitted by Lent)**

1 **Agenda Item 5 – Investigative Report**

2
3 Chair: Let's call John. Are they still having problems with the software. I guess John will be
4 able to answer that.

5
6 Chair: Good morning John can you hear us all ok?

7
8 Savage: Loud and Clear.

9
10 Chair: We are ready for your investigative report, Carol Olson from the Fire Marshall's
11 office is here.

12
13 Savage: Reports that business is as usual. They have had a steady stream of cases in and
14 out. Still can't do case reports at this time. Hopefully by next board meeting, I'm being told
15 but with this new software it may never be like it was before. He reports that there are 30
16 some active cases. There are approximately 5 or 6 cases at the AG's office right now.
17 Some have been there awhile and some are being worked diligently and hopefully we have
18 resolution soon. There are a couple of consent agreements that you gentlemen are going to
19 look at today. He reports that incidental practice is starting to show up quite a bit again and
20 he is asking licensees to write the Board with specific questions so they can get answers
21 before they do the work. He sees another busy season both commercial and residential.
22 Still a large influx of outside entities. I can't emphasize enough the importance of the help
23 we get from the Fire Marshall's Office and the Building Officials from around the state.

24
25 Chair: We recognize and really appreciate how beneficial that association is. Any more?

26
27 Savage: That's about it from my end. Do any of you gentlemen have questions?

28
29 Baker: Advises that he got word from a couple of railroad officials that they turned in a
30 complaint and then got word back that the case was closed with no explanation and they are
31 pretty upset over it. Do they have any recourse?

32
33 Savage: Sure, what they can do is, and they have to realize that what is a very serious
34 complaint to one individual may not be to another. They can go to Vern and put in a FOIA
35 request. He doesn't remember how he worded the response to them then goes into the
36 various ways he words responses. He explains that if administrative action was taken it may
37 not be public record and they will not get that even through a FOIA request.

38
39 Walsh: Asks if he was serious about the Board never getting reports again?

40
41 Savage: Responds that he didn't want his attitude to shine through. He is sure we will get
42 reports again he is just a little disgruntled at the time it's taking. He continues that it's
43 unprofessional in this day and age that we can't provide you with a Board Report.

44
45 Walsh: I was wondering if there was something Richard needs to do. A lot of people put a
46 lot of effort into trying to improve the enforcement monitoring of this Board and that report
47 was really a result of that effort so I'd like to see it back in the Board packet as soon as
48 possible.

49
50 Savage: Agrees that it's hard for the Board to have a finger on the pulse of what's going on
51 without it. He agrees that a call from the Chair to his boss might help, not that the IT people
52 aren't doing their best already.

53
54 Chair: Would it be out of line for you to draft a short letter that I could sign and send it

1 through Vern.
2
3 Savage: I can do that.
4
5 Brownfield: Asks what department or individual it should be addressed to.
6
7 Savage: Points out that the Chief Investigator has been making things happen by leaps and
8 bounds and a good starting point would be thorough him up to the Director.
9
10 Hanson: States that he has been getting calls and emails asking if such and such is a valid
11 complaint and asks how that should be handled.
12
13 Savage: As soon as the word complaint crosses their lips say stop! Tell them that
14 Investigator Savage is the Board investigator this is his number he will provide you with
15 everything you need. We do not take electronic complaints. The best way is for them to
16 contact me I'll send them a packet. I need everything in writing so there is no confusion as
17 to what was said later on.
18
19 Hanson: Says he saw a link for electronic complaints on our webpage.
20
21 Savage: Advises that it has just came back up and that people get upset when told he
22 doesn't accept electronic complaints and they have to re-file.
23
24 Baker: Asks if a case has already been decided by the judge and someone wants to file a
25 complaint against the other side is that something I can discuss or just tell them to file a
26 complaint?
27
28 Savage: Advises that they can file a complaint but the State is only going to get involved in
29 the professional licensing side of it not the civil side. I'm very guarded about what I say and
30 how I say it and when we are looking at something, anything other than just the professional
31 aspect of it and was it a violation of our Statute and Regulation.
32
33 Lent: Clarifies what the Guidance Manual should say regarding filing complaints.
34
35 Chair: Asks John how many boards he now is responsible for.
36
37 Savage: Responds that he has 6 including the AELS Board.
38
39 Hanson: Asks if the software problem is just with our Board of all of them?
40
41 Savage: It's office wide.
42
43 Baker: Adds that he just came back from the NCEES Law Enforcement Committee meeting
44 and that he told them that we went from 2 ½ investigators down to one investigator that we
45 share with 5 other boards and they all think you deserve wings.
46
47 Savage: Again voices how important the Fire Marshall's Office, the Building Officials and all
48 the contacts he has made with other Boards are to his success. Some think the National
49 meetings are boondoggles but without meeting the investigators from the other Boards we
50 would be treading in the mud. The money is well spent.
51
52 Hightower: Understands that John had some heartburn with a decision the Board made
53 about submitting 95% documents for plan review.
54

1 Savage: Doesn't remember exactly and wants to review his notes before he responds.
2
3 Chair: Asks him to give a little overview on the regulation changes now out for public
4 notice, specifically, the addition or deletion of the branches of engineering from the seal.
5
6 Savage: States that putting the designation on the seal is best for him. Deleting them
7 would cripple him. He adds that the addition of all those branches will increase his
8 responsibilities and needs to be looked at.
9
10 Chair: We actually talked to the Director this morning on not only your role but Vern and
11 Alicia will also be confronted with additional work, he fully realizes that.
12
13 Chair: Thanks John for his participation. Can we make room for Carol down at that end?
14 He introduces Carol Olson to the Board and public.
15
16 Olson: John didn't stick around, I was going to rub some salt in his wound because our
17 software is up and running. It works great. We are beta testing the portal where people can
18 get in there and request inspections, file complaints, file their applications even submit
19 drawings online. That's in the beta testing stage, what we do have running is for other State
20 Agencies to get on the software and look up new and current projects and where they are in
21 the process, who is responsible for the project, who the applicants are, their link to anything
22 else that is involved with them. And also if they're tracking repeat offenders, people who
23 start project without permits. And since we work closely with John and what stamp is
24 allowed on a project we are seeing a lot of repeat offenders. In fact John should be heading
25 over to pick up another set of plans where the individual stamped all the disciplines and this
26 person is a repeat offender that we turned in to John last year. We are more aware that we
27 shouldn't be seeing the same stamp on A's, E's, M's, all of those. So....
28
29 Chair: Is he licensed?
30
31 Olson: Yes, as an architect. He's not the only one it's just that one came up yesterday but
32 like I said we are seeing more repeat offenders because we are more aware of it. John also
33 mentioned our Fire and Building Officials forum, that's coming up March 30th. Unfortunately
34 that's just for Fire and Building Officials but it helps make everybody more aware. I was
35 curious about when you were talking about filing complaints online, does that go straight to
36 John?
37
38 Chair: Yes, and again you can't do electronic complaints you have to do written.
39
40 A short discussion followed that concluded that it doesn't go directly to John it goes to a
41 central investigations cue then gets forwarded to John. The Chair asked Vern to check on
42 that.
43
44 Olson: Informs the Board that she and the Deputy Director for the Fire Marshall's Office will
45 be present for the public comment this afternoon to see how the FPE thing is going to fare.
46
47 Eriksen: Asks if the software they use is the same as the one John is having problems
48 with?
49
50 Olson: They are completely different packages.
51
52 Chair: Asks if she has any comments on the multiple branches that are being proposed for
53 regulation? You have regulations that are coming up too that are going to be adopted.
54

1 Olson: We will be addressing fire systems permitting and the level of the NICET. Not huge
2 changes.

3
4 Fredeen: Asks when the appropriate time would be to ask about the timing of these
5 regulations.

6
7 Chair: Now would be appropriate.

8
9 Olson: We are hoping to have our regulations adopted sometime this fall. The proposed
10 regulations are on our website. As soon as we get them refined a little bit they will go out for
11 a formal 30 day public comment and hopefully get them signed in before the end of the year.

12
13 Fredeen: These will be the amendments regarding changes to the codes? And that also
14 includes the 050 that has the permit for the fire

15
16 Olson: Yes, It's all on our website.

17
18 Fredeen: Adds that we have received public testimony on the FPE verbiage and may be
19 modifying it and asks if she has had any?

20
21 Olson: No, we have a form online to submit even before we go out to public comment but
22 we have not received anything on that.

23
24 Baker: Asks if the NICET permit holders cover all things that a FPE would?

25
26 Olson: I think for the most part they do.

27
28 Rearick: Asks if people will be able to submit plans in electronic format with their new
29 software?

30
31 Olson: Yes, within reason, we don't want to be printers. But if you if you have a small
32 project we are allowed to receive up to 10 drawings per application.

33
34 Fredeen: Asks if the public comment we have received is public record and if we could
35 provide Carol with it?

36
37 Chair: Yes

38
39 Jones: There are copies over there.

40
41 Fredeen: Adds that some of the comments may be beneficial to them.

42
43 Eriksen: Reiterates what John said about the value of Liaison with the Fire Marshall's
44 Office.

45
46 Chair: Thank you Eric that saves me saying the same thing. Thank you Carol and we'll see
47 you this afternoon.

48
49
50 **Agenda item 6 – Expenditure Report**

51
52 Chair: The next item is the Expenditure Report, Cathy Mason.

53
54 Mason: Reviews the report in the packet and points out that it is in a different format.

1 Personal services which is payroll is \$122,780. Travel, excluding this trip is \$25,995.
2 Contractual to this point, (she pauses to explain how Law is reimbursed for our legal
3 expenses and that these figures may not be accurate if there are cases ongoing) is \$22,129
4 and Supplies was \$722 giving you total direct expenditures of \$171,626. Your indirect
5 expenditure is \$159,753. And your indirect percentage for FY11 is 10.92%. That gives you
6 total expenses of \$331,379 so far. Your deficit so far, and you expect to have a deficit
7 because this is your down year, so currently your deficit is \$262,910 but you have a
8 cumulative surplus of \$952,660 so even with that deficit you still have a surplus of \$689,750.

9
10 Chair: Thank you Cathy, are there any questions?

11
12 Shiesl: This is much more understandable.

13
14 Mason: Oh, good, I'm glad you guys like it.

15
16 Chair: Are the other Boards that you report to, are they doing as well as we are?

17
18 Mason: Some of them are.

19
20 Walsh: Asks if she could give the fee setting process timeline.

21
22 Mason: Not sure when your fees renew right now. I usually try to do the fees about 5 to 6
23 months ahead of time.

24
25 Jones: We renew at the end of this year.

26
27 Mason: At the end of December so in June I'll start your fees.

28
29 Jones: What's the latest the Board can give you input? We have a meeting in May, can we
30 give you input for the fee setting in May?

31
32 Mason: Yes, and I appreciate if you do give me input because if you have, you know I look
33 at historical data when setting fees so if you have something upcoming like a legal case or if
34 you know your going to travel more next year or you have a big conference or something. If
35 you let me know I can put that into the fee setting.

36
37 Chair: Advises her that we are increasing the branches and that will increase income but on
38 the flip side the expenses may increase initially. So we will give you input and Dan is the
39 chair of that committee.

40
41 Mason: I'll bring my pen and pad next time.

42
43 Walsh: We'll have something in writing to give to you.

44
45 Baker: Asks where the meeting will be .

46
47 Chair: In Anchorage, thank you Cathy, great job.

48
49 **Agenda item 7 – Board Correspondence sent since November 2010**

50
51 **A) Letter to Joseph Silny & Associates, Inc. re Credential Eval.**

52
53 Chair: Board correspondence, Vern can you talk us through this one, item 7A?

54

1 Jones: Explains that a company was asking to be added to our list of Credentialing
2 Agencies and that they were already on the list.

3
4 **B)** Letter from Matthew Stielstra re acceptance of Arch Eng degree

5
6 Chair: Do we want to go through each one of these?

7
8 Jones: 7 is outgoing correspondence so this is just responses to stuff we had last meeting.

9
10 Chair: Does the Board want to take 5 minutes and look at these?

11
12 Hightower: I've read them and don't have any questions. (The rest of the Board agrees).

13
14 Chair: Ok, let's move to correspondence received.

15
16 **Agenda item 8 – Correspondence received since November 2010**

17
18 Chair: It's my understanding these would be things outside of the regulations, correct Vern?

19
20 Jones: Actually some of them are the responses to regulations but the big packets are the
21 ones you want for the regulations. It has everything from the start up to yesterday.

22
23 **A)** Letter from PA Board nominating David Widmer for Treasurer of NCEES.

24
25 Chair: I would like to speak to 8A. He then gives his support and asks the Board to
26 consider endorsing this nomination.

27
28 Brownfield: Reiterates the Chair's praise and support for Mr Widmer and moves to endorse
29 the nomination.

30
31 **On a motion duly made by Brownfield, Seconded by Baker is was**

32
33 **Resolved to endorse the nomination of David H. Widmer for Treasurer of NCEES.**

34
35 Baker: As part of his second of the motion he adds his praise of Mr. Widmer.

36
37 Fredeen: Cautions the Board about endorsing candidates this early in the nominating
38 process.

39
40 Chair: There is a motion on the floor.

41
42 Fredeen: I'm opposed to the motion because we don't know who all the candidates are at
43 this point.

44
45 Brownfield: When does that take place?

46
47 Chair: The election will be at the annual conference in August.

48
49 Baker: Reminds that Board that last time the Board endorsed someone before all the
50 applications were in and then at the meeting endorsed someone else.

51
52 Chair: Appreciates all the comments and adds that he doesn't like to go to an annual
53 conference without having feedback from the Board on this kind of issue. I like to have
54 Board opinion and think the Board should weigh in on this. I would speak in favor of the

1 motion.

2

3 Walsh: Thinks that putting this decision off until the May meeting when there may be more
4 nominations to consider would be a good idea.

5

6 Chair: Any other comments? With that all those in favor of the motion signify by saying
7 Aye. All those opposed signify by saying Nay. The Nay's have it. Anybody wish to change
8 their vote. He clarifies that this vote doesn't infer that we aren't in favor of endorsing David.
9 It's a qualified Nay, we have to give due respect to the possibility of other persons running
10 for that office.

11

12 The Motion failed.

13

14 **On a motion duly made by Fredeen, Seconded by Lent it was**

15

16 **Resolved to add to the August agenda the discussion on candidates for NCEES**
17 **Treasurer.**

18

19 Hanson: May?

20

21 Chair: The Western Zone meeting is in May and I would prefer to make a recommendation
22 at that meeting so I would like that to be a friendly amendment from Brian.

23

24 Fredeen: Points that the election is in August, two weeks after our AELS Board Meeting.

25

26 Baker: Well we are trying to give Western Zone direction too.

27

28 Chair: Do you take that as a friendly amendment?

29

30 Fredeen: Sure

31

32 Eriksen: Can't we make a consensus at the May meeting and then if things change revise
33 the consensus at the August meeting?

34

35 Brownfield: Adds that at the Zone meetings there is discussion on those who have already
36 put their names in the hat and that if you want to be in office you don't wait until two weeks
37 before the election to decide. He appreciates the comments made but thinks that the
38 August meeting is too late.

39

40 Eriksen: Agrees with Brownfield.

41

42 Chair: Adds that is gets a little awkward if you endorse someone at Western and then at
43 Annual you switch to somebody else.

44

45 Eriksen: But if you go to Western and endorse somebody and the whole zone endorses
46 somebody else then you're in conflict with that so if more information is brought to light I
47 don't think you can't change your mind. I'm not saying we have to make a motion in August,
48 I'm just saying we have one more opportunity if it arises.

49

50 Brownfield: I agree with what you say. Until the vote is taken this board even though we
51 have favorites should have an open mind if the situation changes.

52

53 Chair: Chair ask Fredeen to restate the motion.

54

1 Fredeen: Move to add to the May agenda the discussion of candidates for NCEES
2 Treasurer.

3
4 Chair: And the second agrees to that?

5
6 Lent: Yes

7
8 Chair: Any other discussion or questions? Hearing none all those in favor signify by saying
9 Aye. All those opposed say Nay. Hearing none the motion passes.

10
11 **B) Comments in response to the Public Notice re General Licensure**

12
13 Jones: B is the comments I had at the time I mailed the packets.

14
15 Chair: Vern has passed out a thick package of supplemental comments. Chair then
16 recommends that this item not be discussed until after the oral comment period.

17
18 **C) News Release from Ontario, Canada re Licensure for U.S. Engineers.**

19
20 **D) Memo from NCEES re changes to exams**

21
22 **E) Memo from NCEES re new Education Standard.**

23
24 **F) Comments in response to the Public Notice re Surveyor Education Tables.**

25
26 Chair: I think we can delay discussion on this one. It's still out for Public Comment until
27 March 7th.

28
29 **G) Governor Announces More Board Appointments**

30
31 Jones: I'd like to direct your attention to the 5th paragraph from the bottom, Emerging
32 Energy Technology Fund Advisory Committee.

33
34 Chair: Congratulations Eric.

35
36 Eriksen: Actually it's a pretty exciting opportunity to be involved in because that's the future
37 of our energy.

38
39 Chair: I want to talk to you about Fairbanks energy problems.

40
41 **H) E-mail re Environmental Characterization Reports**

42
43 Jones: These are some questions the Board need to respond to.

44
45 Baker: I think Dan looked into this about a year ago or so?

46
47 Walsh: Yes. He adds that he got a call from the President of the Alaska Geologic Society
48 who expressed the same concerns so I encouraged him to attend the May meeting and give
49 input on it. Basically it's the same as the architects and architectural engineering. They are
50 saying there is overlap in what the geologists do and what environmental engineers do and
51 they are concerned about that.

52
53 Chair: Under action list would you draft a response to that correspondence?
54

1 Walsh: This really falls under General Licensure so unless we are going to respond to all
2 the other comments I don't think we need to respond to this.
3
4 Baker: Points out that while the state regulates geologists this board doesn't and he doesn't
5 see why that would interfere with us regulating environmental engineers.
6
7 Walsh: At most it would be an incidental practice issue. If we do license environmental
8 engineers they would be able to do that same work.
9
10 Brownfield: Offers that the geologist can do those things in Alaska but can't stamp them. If
11 it is something that needs a stamp he has to work with an engineer.
12
13 Chair: Harley do we want to respond to this now or after the close of public notice?
14
15 Hightower: I would think after the close of public notice.
16
17 Lent: I have verbal correspondence from ASLA that I just received where would this fit? It
18 has to do with CLARB.
19
20 Chair: Regarding regulation changes?
21
22 Lent: No regarding additional area in region 5.
23
24 Chair: You can report on that now.
25
26 Lent: Reports that Alberta just began licensing landscape architects and he will move to
27 have them added to Region 5 because they are contiguous to Montana and British
28 Columbia.
29
30 Chair: Any other correspondence that needs to be addressed?
31
32 Hightower: Asks the Board to read the correspondence from Mr Nardini so it can be
33 discussed tomorrow. Mr. Nardini is questioning the logic and the authority of us to require
34 the NAAB degree and NCARB certificate for licensure and he has some good points.
35
36 Chair: Could we move that to 19D under new business for am discussion? 19 C is
37 elections.
38
39 Hightower: He requested that this be read aloud but I don't think that is required as long as
40 it's on record.
41
42 Chair: We are being accommodated by putting this off for a day so everyone can read and
43 digest it.
44
45 Baker: Points out that one of the comments in 8b is from a P-Eng and maybe we could get
46 him to talk to us about licensure in Canada.
47
48 Jones: Asks for help from the CE committee answering questions on PDH's in email from
49 Linda Spalinski (item 8J).
50
51 Hanson: Did you respond to this?
52
53 Jones: All I did was give them our regulation.
54

1 Hanson: Yes and when I read this that's what I thought we should do.
2
3 Jones: But they were asking some questions like virtual attendance? Would that be
4 acceptable? How would they....
5
6 Eriksen: They require registration so that would be documentation.
7
8 Brownfield: Points out that it's up to the provider to give it a proper title and value.
9
10 Chair: To clarify Vern's request, I didn't understand CE committee.
11
12 Jones: Well we have a CE committee.
13
14 Hanson: Yes, but I think you've answered this one.
15
16 Chair: So we do have a committee that is CE.
17
18 Jones: Yes, I forgot to add it to the agenda.
19
20 Chair: So do you want to correct your standing committees to add that and who is the Chair
21 and who's on that committee
22
23 Jones: Mr. Hanson.
24
25 Hanson: Richard and Cliff.
26
27 Brownfield: Reminds everyone that it's up to the individual to make sure that the CE meets
28 the criteria in our Regulation.
29
30 Chair: Any other comments? Let's move to 9a.
31
32 **Agenda item 9 – Old Business**
33
34 **A) Building Information Modeling (BIM)**
35
36 Rearick: That was removed.
37
38 **B) Reduction in Travel - supplemental appropriation**
39
40 Chair: Advises that even though normal attrition will open some new seats and the travel
41 budget won't affect some it's still important to promote attendance at the National meetings
42 and the budget review process will cue in on that.
43
44 Walsh: Thinks there are two major steps in the budget process. The first and easiest is to
45 get our recommendations in. The more difficult part is pushing the process through and
46 then making sure it isn't cut somewhere in that two year period. This is what you and/or the
47 next set of officers need to devote some time to.
48
49 Lent: Comments that, yesterday the Senate President again went on record as supporting
50 Board travel.
51
52 Chair: For Clarification he was surprised when I pointed to the Legislative Branch as the
53 one that backed off on that, he pointed asked me if it was the Administration or the
54 Legislature and he didn't know it was the Legislature. I certainly will be engaged in that

1 process. Every Legislator that I spoke to yesterday fully understands the concept and were
2 accommodating when I raised the issue and realized the benefit to the Board and the State
3 of Alaska of having a Board well informed on National issues. It is important that this
4 importance be stressed to new members.

5
6 Walsh: Asks if the chair's meeting with the Director had any bearing on this issue?

7
8 Chair: He was totally sympathetic, he will visit us and we can have him comment on it.

9
10 Eriksen: Offers that a strategy may be to emphasize what will happen if we don't get to
11 travel.

12
13 Chair: I did do that.

14
15 Baker: Asks if the Divisions neutral stance towards a supplemental appropriation has
16 changed?

17
18 Jones: This is the whole Department. They are going to remain neutral. They won't be for
19 or against anything. They said if the Board wants to go to the Legislature and ask for more
20 money you may. They are not going to take sides.

21
22 Chair: That doesn't mean that personally he doesn't understand our dilemma. I stressed
23 the cost savings the State has achieved through that travel. He adds that it should be
24 brought up that on a National level other Boards are more directly involved in enforcement
25 than we are. He thinks we should be more involved on the prosecution side instead of just
26 the judicial end and I related that to the Director.

27
28 Lent: Advises that CLARB now has a disciplinary data base and adds that they request the
29 Board Executive attend the meetings. He explains that the MBE portion of the meeting is
30 separate from the MBM portion and they specifically want the MBE at the meetings.

31
32 **C) Emeritus Status Statute/Regulation – NCEES Bylaws.**

33
34 Chair: I forgot who was working on that. The report should be given at this meeting.

35
36 Rearick: I was tasked to look at the NCARB side of that and I'll talk about that after we get
37 the NCEES side.

38
39 Fredeen: Explains the process to get a former member of the Board designated as an
40 emeritus member of NCEES and therefore eligible to be a committee member or officer and
41 that there is no need for the Board to grant emeritus status.

42
43 Chair: Asks him if he could draft a letter from the Board to NCEES recommending emeritus
44 status and to include that the member report back to the Board on his activities annually.

45
46 Baker: Adds that previous discussion said that emeritus status was granted to a former
47 member that was already on a committee or serving as an officer and that they could only
48 finish out their current term but that in fact the member can be reappointed as long as they
49 have approval from their Board.

50
51 Hanson: That was going to be my comment. It goes on forever until the member Board
52 notifies them that it's expired.

53
54 Baker: Adds that a member of the LE committee has been on the committee for 8 years.

1
2 Rearick: The NCARB Bylaws don't address emeritus status. If you are on a Board at the
3 time of election then you can continue. I have been unable to find anyone that can answer
4 my questions at NCARB.

5
6 Chair: If you get further information.

7
8 Lent: I'll have to follow up with CLARB.

9
10 **Agenda item 10 Regulation Update**

11
12 **A) Regulations out for Public Notice ending 3/7/2011**

- 13 1. 12 AAC 36.064/12 AAC 36.065 Eligibility for Surveyor exams.

14
15 Chair: Public notice ends on March 7th. We've received 7 responses so far. Any
16 comments?

17
18 Hanson: I didn't see any time on the agenda to talk about any of the comments or oral
19 testimony we are going to receive today. In the past those have been quite lengthy
20 discussions. Do we need to add something to tomorrow to talk about these?

21
22 Jones: Maybe we could move these to tomorrow and move some of tomorrow's items to
23 today?

24
25 Chair: That's a good idea. That should happen with 10 A and B to table the discussion until
26 tomorrow. Craig could you make a motion? While he's working on that maybe we could do
27 the Examiners Report today and the Board travel. We could do committees.

28
29 Hanson: We could take a break for 5 minutes.

30
31 Chair: That's a not negotiable motion we will take a break for 10 minutes and be back at
32 10:20.

33
34 Break 10:10 – 10:23

35
36 Jones: Introduces Don and Sara to the board.

37
38 Chair: Invites either one of them to speak to the Board.

39
40 Habeger: Advises the Board that he had a call from Senator French asking about the
41 processes regarding the FPE issue. The Director assured the Senator that the process was
42 taking place as it should. He then talked about comments made by one of the House co-
43 chairs regarding the Division that were nice to hear but probably not true. The Director
44 pointed out that it's the staff here working as a team that really helps Alaska along. But he
45 had two other points in the conversation with Commissioner Bell. One is that the licensing
46 unit should not be recognized as Consumer Protection but recognized as Economic
47 Development. His point was that we need to be proactive. We need to make sure we are
48 responding to licensees. That we're not a hindrance to them that we make sure we do all
49 the processes properly. Sara was brought onboard to help us with making sure our
50 processes are efficient, that we are being responsive to licensees and that after the checks
51 and balances are done that the license are getting out as quick as possible. He is excited to
52 have Sara as part of the team.

53
54 Chair: Are there any questions or comments?

1
2 Walsh: Refers to the conversation between the Chair and the Director earlier and explains
3 that the Board is concerned about our travel and enforcement budget and would like a lot of
4 input toward the fee setting process. He asks the Director for his point of view on how the
5 budget might be set up and how we can work through him to ensure our budget request
6 goes to the Legislature without any changes.
7

8 Habeger: He advises that the FY11 budget was at \$316K and for FY12 it was reduced to
9 \$306K for all board activity and division support. He explains that this is the Governors
10 desire and that he cannot and will not ask for something that is not part of the
11 Administration's goal. However, if there are opportunities to have conversations to let
12 Legislators know about what I know the Boards are interested in achieving during travel I'd
13 be happy to have that conversation. He encourages the Board members to talk to their
14 Legislators individually and through their professional groups.
15

16 Chair: Mentions that there is the potential of an increased workload for Vern and Staff with
17 the addition of the other branches of engineering.
18

19 Habeger: I understand that and that is one of the tasks that Sara will have. One of the
20 processes our predecessors could have done better is getting that budget information out
21 into the rank and file. We are not there yet but it's something I would like to see our
22 organization do a little better. So that Professional Licensing, for example, knows how the
23 budgeting process impacts their staffing levels and give them more autonomy on moving
24 those pieces around to solve some of these issues. Nursing is facing the same situation
25 they've gone from around 11K to 13K licenses. He didn't have the figures for AELS but said
26 they are aware of those issues and will continue to work through them.
27

28 Walsh: Explains that the Board is trying to get up to speed with the budget process and that
29 we have the ability within our fee setting structure to fund the travel we feel the Board needs
30 to be fully functional in protecting the public. He asks the Director if there is a way we can
31 get over the hurdle of implementing that travel budget into Legislative action through
32 lobbying action by the professional societies.
33

34 Habeger: Thinks there is. Maybe take that \$306K figure to the Legislature and say that it
35 isn't going to meet your requirements and that you need 400K. I would be happy to work
36 with Vern on that to get the information out to you all. I think that kind of message sets us
37 apart with the general theme of more government services at a more reasonable cost.
38

39 Fredeen: One of the other items we for see is the possibility of a learning curve for the
40 public with the addition of all the other branches of engineering. It might impact our
41 investigator. We have always been concerned that our investigator is spread among 6
42 different boards. I don't know how you can help us in that matter but he's over taxed doing
43 our current load and these additional licenses would task him even more. He then asks that
44 our investigator be taken off the other board and work full time for AELS.
45

46 Habeger: Acknowledges that the Division, Department and the Legislature are all
47 concerned with the customer service provided in the investigative process and that it has
48 been brought up in sunset audits. They are presently asking the investigative section to
49 remain status quo regarding staffing. He is working on it but we will probably have to make
50 do with what we have for another 12 to 18 months.
51

52 Baker: Points out that when he came on the Board 7 years ago we had 2 ½ investigators
53 and now we only have one so he doesn't see the status quo.
54

1 Habeger: Explains that what he meant was the section stays status quo. He understands
2 that investigators get shuffled around but doesn't yet understand how that is decided.

3
4 Chair: Adds that one thing that has helped John is the coordination with the Fire Marshall's
5 Office in disciplinary actions. Seven years ago there was a turf war between the investigator
6 and the Fire Marshall's Office and that has flipped 180 degrees to the point of excellent
7 cooperation between the two. John is working effectively and as I mentioned this morning
8 when you're effective and doing a good job you end up getting more work. Anything we can
9 do to have John's full attention on this Board or maybe just a couple other Boards we will
10 do.

11
12 Hanson: Asks how the economic development model will fit this Board since our mission is
13 to protect the public HSW?

14
15 Habeger: Answers that the State needs to grow and as projects come on line like the gas
16 pipeline and the Susitna dam what he means by economic development is that as
17 professionals come to the State we shouldn't, as a regulatory agency, be a hindrance to
18 that. Licenses should be issued in the proper manner as quickly as possible.

19
20 Lent: Points out that the Board is working on bringing more engineering branches under our
21 purview which will allow more specialties to work in Alaska.

22
23 Brownfield: Adds that his view of economic development verses health, safety and welfare
24 complement each other and it's a plus more than a minus.

25
26 Habeger: As I read the Statute our system is based on peer review. As I read the Statutes
27 the authority to develop the profession is yours, it's not ours. We have investigative
28 authority but most of all it's supportive authority. We hope to manage ourselves so that we
29 support you so you can do your jobs and empowering staff to provide the services you need.
30 I like the peer review system, you get to decide what an engineer is.

31
32 Fredeen: Brings up HB28 regarding courtesy licenses. He notes that the Board is very
33 interested in how that bill will affect our processes in light of the arctic engineering course
34 requirement and the HSW issue.

35
36 Habeger: That bill is up for hearing as early as next week so if you're interested I would
37 encourage you to let your associations or respective groups within the State know and
38 become involved in the conversation. Our part of the conversation will be honed down to
39 technical aspects. Can we deliver this if you ask us too? Yes, we can do the regulatory
40 process. This is how we will do it. This is how the Boards will be required to get engaged if
41 you tell them to get engaged. We will try to put a price tag on that activity. That will be our
42 involvement. The merits of how it impacts the various professions will not be our focus.

43
44 Walsh: I guess I want to have a little more budget discussion. (laughter) I hear what you're
45 saying about the remainder of FY11 and FY12. Going forward to FY13 he offers that the
46 Board has the ability to help with the fee setting process and that we could increase our fees
47 to cover our own investigator and our travel and speculates that other Boards have that
48 ability also and asks how the Boards can help you do your budget jobs.

49
50 Habeger: Answers that in seven months of visiting board meetings he is finding that there
51 are certain boards that want to get out to these national meetings. Typically it's the larger
52 boards that want to increase the activity. Some of the smaller boards, if we do that, then
53 their licensure fees go up and they become uncomfortable. So there is a balancing act in all
54 of that. Now that I know you're interested in that if we can get additional allocation in our

1 travel, in our personnel. Personnel will affect what we can do for investigators. The state
2 has an unusual system in that it doesn't matter what we set the fees for. If the Legislature
3 doesn't give us the authority to spend it, any excess is rolled forward to the next year.
4 That's where we need to engage in conversation and as I learn more about your needs we
5 can be better at delivering that message, which certainly has to happen.

6
7 Lent: Explains the disciplinary data bases of the various National organizations and their
8 value to the State.

9
10 Habeger: Understands what is being said.

11
12 Chair: Thanks the Director for attending and emphasizes how important it to keep this
13 communication and interaction going and that the Board appreciates his input anytime. He
14 then invites Ms. Chambers to speak.

15
16 Chambers: Pleased to get to know the Division and defer to my senior colleague for any
17 questions and comments but certainly if you have any along the way I'm at your service as a
18 public employee and through Vern or Don indirectly I'm happy to help any way I can.

19
20 Hanson: Asks either of them to explain her interaction with the Board and how we are going
21 to work together.

22
23 Habeger: Explains that his policy is open door and that he has instructed Ms. Chambers to
24 review the agendas and to arrange travel in a conservative way if there are multiple
25 meetings in a given week in Anchorage and meet as many boards as possible. He advises
26 the Board they can communicate through Vern or direct.

27
28 Chambers: Explains that in regards to the chain of command she is Vern's peer and points
29 out that only a few of the boards have Executive Administrators. Most of them work directly
30 with Licensing Examiners and she will oversee those programs. Getting to know you and
31 your processes will help me evaluate processes that may be relevant to other boards. Any
32 information I receive or want to experiment with will be useful to your Board as well. She
33 adds, I may not be working directly with the Board but Vern and I will be working closely with
34 Don to make sure we are developing efficiencies and that balance between consumer
35 protection and economic development is struck well with all of our boards.

36
37 Chair: Thanks both for coming in and adds that the potential adoption of the branches of
38 engineering will be happening tomorrow and invites them back to listen to the discussion.
39 Craig?

40
41 **On a motion duly made by Fredeen, seconded by Baker it was**

42
43 **Resolved to table agenda items 10a and 10b to 10:00am Friday**

44
45 Chair It's been moved and seconded are there any comments? All those in favor say Aye,
46 those opposed say Nay.

47
48 Motion passed unanimously.

49
50 **Agenda item 17 – Special Committees.**

51
52 **a. General Licensure.**

53
54 Chair: I don't think we need a report on General Licensure. I call that a hybrid General

1 Licensure because it really is not a General Licensure if we go to the possible amendment
2 that may be considered tomorrow.

3
4 Baker: Comments on the value of the handouts regarding architectural engineering and
5 NICET that were provided.

6
7 **b. As-Built and Record Drawings**

8
9 Hightower: We have definitions so we can take this off the list. Incidental practice should
10 be Incidental Practice and Specialty Contractors.

11
12 Chair: Do we need a motion?

13
14 Hightower: That Incidental Practice should be Incidental Practice/Exemptions for Specialty
15 Contractors. We need to take a look at all 14 items and Dan and I are going to try to get
16 together on that at the conclusion of this meeting. If not I'm usually in Fairbanks once a
17 month we can take care of that.

18
19 Chair: Does anybody have any questions on As-built and Record Drawings? Bert did you
20 want to speak to that as chair of the Guidance manual?

21
22 Lent: Harley gave me a description for the Guidance Manual and I'll be discussing that
23 later.

24
25 **c. Incidental Practice/Exemptions for Specialty Contractors.**

26
27 Chair: Anybody have any questions on Incidental Practice/Exemptions for Specialty
28 Contractors?

29
30 Walsh: Reiterates what Harley said about meeting Friday afternoon and invites any other
31 members of the committee to join them.

32
33 **d. Licensure Mobility**

34
35 Walsh: Advises that Neil Windsor of APEGGA will give a presentation tomorrow morning. I
36 put out an email asking for questions and think we have a good list of questions for him.

37
38 Chair: Vern did you want to follow up with an individual you were tracking?

39
40 Jones: Reports that Dennis Long says he is good to go as soon as he passes the ethics
41 exam.

42
43 Chair: I think it was a two year process. He then explains, for the benefit of the guests, our
44 Board's discussions with APEGGA regarding Licensure Mobility.

45
46 Brownfield: Adds that we have been talking to them for about 6 years now and that there
47 are several states in the lower 48 involved in discussions with them. The key is the exams
48 and we are trying to find level ground with them.

49
50 Eriksen: Points out, other countries like Korea and Japan are watching closely to see how
51 this turns out.

52
53 Brownfield: That's a good point because internationally you open that door all sorts of
54 people are going to want the same thing. So what we do with Canada sets the stage so we

1 have to be very careful.

2
3 Chair: Adds that this is the result of a sunset audit and the Legislature saying that if we
4 didn't address this issue they would.

5
6 Lent: Advises the Board that three of the Canadian provinces are cooperating with CLARB
7 and using their exam to license their landscape architects.

8
9 **e. Mining Engineers and Geologists**

10
11 Walsh: Reports that he contacted Mark Lockwood, the President of Alaska AIPG regarding
12 definitions and asked for input. He called back and said they were interested in the General
13 Licensure issue regarding environmental engineers. They will send someone to the May
14 meeting to talk about the definition of geology and overlap with environmental engineering.

15
16 Hanson: Was that 8H? Was it from Jun or to the Board?

17
18 Jones: That one was to the Board. There was another one that came in response to the
19 General Licensure comments from a geologist concerned about being able to practice his
20 profession because of the wording in the environmental engineering definition.

21
22 Baker: Are geologists asking to be added under our purview?

23
24 Walsh: Some geologists in the State are interested in being more than just certified. They
25 would probably like to be registered in the State and would need a board to belong to.
26 Some are quite happy with the certification they have.

27
28 Brownfield: States that geology is not defined in our regulations so we are dealing with
29 something outside our regulations. He adds that if we are going to write definitions we need
30 to get them under our board since our board is the most likely place for them. He then
31 explains the process that Alaska uses to certify geologists and asks if it is still that way.

32
33 Jones: It would require as statute change. We would need someone to get a sponsor for it.

34
35 Walsh: Adds that if they are practicing something defined as engineering then they are in
36 violation of State law.

37
38 **f. Land Surveyor Education Committee**

39
40 Chair: Notes that public comment period doesn't end until March 7th. No discussion
41 needed. Standing committees.

42
43 **g. Investigative Advisory Committee**

44
45 Chair: Bo and Harley can you give a quick overview since last meeting.

46
47 Brownfield: I've met about 4 times since last meeting.

48
49 Hightower: Twice.

50
51 Brownfield: I've tried to get Brian in there because it's time for us to get someone else
52 involved because I'm on my way out.

53
54 Hanson: States that he can't respond with a call the night before. He is pretty busy and

1 would like to see a monthly meeting.

2
3 Brownfield: Harley and I have been responding when he calls. I understand what your
4 saying and that is not a bad idea.

5
6 Hightower: Sometimes we do it by email.

7
8 Chair: Indicates that Rearick should get involved and asks Bo to write a letter to John
9 saying some lead time would be good. He then explains how the advisory committee works.

10
11 Rearick: Suggests that it would be bad to have him and Harley on at the same time.

12
13 Hanson: Agrees that it should be spread around, that it shouldn't be the same people all the
14 time.

15
16 Lent: Is interested if he can help out.

17
18 **h. Guidance Manual**

19
20 Lent: Explains what the Guidance Manual is and who uses it. Points out that everyone has
21 a list of what has been changed in the past and asks them to follow along on their copy of
22 the report.

23
24 Chair: I think, depending on what happens tomorrow we may delay adoption of the new
25 manual so go ahead and go through your suggested revisions but we will vote on it
26 tomorrow or postpone it until the next meeting depending on what happens tomorrow.

27
28 Lent: In the table of contents and on page three instead of just Building and Planning
29 Officials we say "Building, Planning and Public Safety Officials". That gives more clarity of
30 what this manual is all about. In the table of contents at the bottom of the page, per a
31 request made at our last meeting, move the guidelines for reporting violations from page 10
32 to a more suitable place. I'm adding two items to the table of contents. The first is
33 "guidelines for reporting violations" and right under that a sample complaint form, which you
34 fill out and mail in to investigations. I've got to clear that one with John. On page 9,
35 "Preparation, sealing, signing and dating of plans, documents and calculations by an out-of-
36 state individual who is not registered in the State of Alaska is a violation of AS 08.48". Next
37 is the details of page 10 which contain a lot of changes. It deals with a hand signature over
38 the seal, the distance of the date from the seal, descriptions of final drawings, preliminary
39 drawings, record drawings, as-built surveys, field surveys, specifications and other reports.
40 You need to look that over carefully and make comments as appropriate. I went through
41 comments all the way back to November 2009 to catch up in this addition. It may be that
42 this doesn't get published until May based on the amount of changes. Page 12 item 5 after
43 the word grading insert the words "and drainage". On page 19 in the last sentence add
44 "provision for disconnect". Then you have a paragraph on new page 20 which is guidelines
45 for reporting violations. We already have a change to that. Do not give the flexibility of
46 submitting complaints electronically. Those are the changes I'm suggesting for this addition.

47
48 Rearick: Suggests a .pdf of the complaint form on line that they can print, fill in and send in
49 without having to contact anybody in the Department beforehand.

50
51 Chair: Good point.

52
53 Fredeen: Request that the portion on page regarding signing and sealing record drawings
54 be removed. We constantly asked to seal and sign as-built drawings but we aren't out in the

1 field 24/7 to verify exactly how things were installed. So from a responsible charge aspect
2 we can't stamp and seal record documents.

3
4 Chair: Could you put that in writing to Bert please? Are there any other comments? He
5 then notes that there are a number of comments in public notice comments directed towards
6 the Guidance Manual and asks Bert to address those at the next meeting.

7
8 Lent: Yes by next meeting.

9
10 Chair: Points out that the Manual is also used by Licensees.

11
12 Eriksen: Asks if we have figures on how many are using it.

13
14 Lent: Reports that as of last meeting we were getting 100 hits a month and it was
15 increasing.

16
17 Hanson: On page 3 you have signing and sealing 95% and Harley was looking at that.

18
19 Hightower: I think that was resolved. I talked to Carol Olson.

20
21 Hanson: Yes I think we need to remove that from the changes. On page 4 you have future
22 changes. Eliminate that from any future discussion.

23
24 i. Legislative Liaison

25
26 Eriksen: Reports that he has communicated with APDC and feels they have a good
27 understanding of the issues. He notes the Legislative fly-in this week. He wasn't able to
28 attend but understands that General Licensure was a big discussion.

29
30 Chair: Asks Fredeen if he wants to report on a contact yesterday.

31
32 Fredeen: Gives a short report on making the rounds with APDC yesterday and talking to
33 Legislators and answering questions on the issues the AELS Board is dealing with now. It
34 was well received, all the Legislators I sat in with were pro engineering, architecture,
35 surveying, science, technology, mathematics, they were all very interested in the issues we
36 are dealing with right now. A lot of them didn't realize we only have 6 stamps so it was an
37 educational process for them to understand why we are proposing to add 10 additional
38 stamps. It was positive process and if you have a chance next year I recommend it. It also
39 helps staff with calls from the Legislature asking what we are doing.

40
41 Lent: Reports that he accompanied Craig and followed up on the issue of the permanent
42 voting seat for the LSA.

43
44 Baker: Asks if anyone brought up travel funding? Was it on APDC's list?

45
46 Chair: It was not on their list but any Senator or Representative I spoke to I went over that
47 in detail and all them kind of gave the indication...

48
49 Baker: I guess I was asking is APDC behind us?

50
51 Chair: They are but their white paper didn't address it. Again the issue was brought up in
52 every conference I attended and I went into great detail about it. It was an education
53 process for Gary Stevens, he didn't know if the problem of cutting travel was administrative
54 or Legislative.

1
2 Brownfield: With Senator Stevens what I took out of that he was not aware that Legislative
3 action was responsible for the reduction.
4

5 **j. Emeritus Status**
6

7 Chair: We already did this. We have a couple of form letters to review at next meeting.
8

9 **k. Budget committee**
10

11 Chair: Through the expenditure report this morning and with Don this morning we have
12 been through that.
13

14 **l. Continuing Education Committee**
15

16 Hanson: Reports that with the proposed regulation change there will be some changes
17 required and that they will have them ready for the May meeting. Actually before the May
18 meeting so everyone can look at it. It will be more than just a one page thing. It will be a
19 letter as well as revised forms.
20

21 Chair: Are there any questions: Do you want to go into New Business or break for 10
22 minutes?
23

24 Walsh: Asks to go back to the budget to get a feel for how the Board would feel about
25 putting into our fee structure funding for John or someone else to be our full time
26 investigator. When you look at the fee structure to split that cost up between 6000 people
27 it's a very small amount.
28

29 Habeger: Points out that the Medical Board has it in their Statute to hire an Executive
30 Secretary and an Investigator and suggests that that may be the way to go.
31

32 Chair: Would that have to be a Statute or could it be a Regulation?
33

34 Habeger: It would have to be a Statute, we have to have the authority first.
35

36 Baker: Asks if having our own employee would result in more involvement for the Board in
37 the disciplinary process.
38

39 Habeger: Responds that right now he can designate what boards John has. If Statute
40 required an investigator for the Board he wouldn't have that choice.
41

42 Hanson: Asks if we could use the same tack (a Statute) for travel? Making it a requirement
43 within the fee structure? Then there is no Legislative process at that point for approving
44 travel budget it's already build in to the fee structure.
45

46 Chair: Would that be something the budget Chair could look into? It sounds a little elusive
47 to me.
48

49 Walsh: Likes the idea of putting the individual, the position, in the Statute but not too
50 enamored with fine tuning the funding in a Statute or Regulation. I would hope we can work
51 with Don through our fee setting process in the future when we have time and accomplish
52 that same thing.
53

54 Chair: Reads AS 08.48.121 which covers filing a complaint with the Secretary of the Board

1 and points out that that does not happen and is not encouraged in fact it is discouraged and
2 asks the Director how that can be dealt with.

3
4 Baker: Reads As 08.48.055 regarding the Executive Secretary and the wording that the
5 Executive Secretary shall perform duties as prescribed by the board and asks if those duties
6 could be investigative?

7
8 Chair: Points out that the Executive Secretary is not the same as the Secretary of the
9 Board. He adds that he was just throwing that out there because we don't handle
10 complaints that way and any insight would be helpful.

11
12 Habeger: Not sure.

13
14 Chair: Again points out that the Board hasn't handled complaints that way since he has
15 been on the Board. They always are referred to the investigator.

16
17 Fredeen: Reads AS 08.48.061 and asks if the appropriation by the Legislature is made to
18 the Division or to the Board?

19
20 Habeger: Explains that the appropriation is to the Division.

21
22 Chair: Orders a 10 minute break so everyone can get their food (working lunch) and invites
23 Don and Sara to join us for pizza.

24
25 **Agenda item 19 New Business**

26
27 **a. Regulation Project – FE exams.**

28
29 Jones: Points out the differences in 12 AAC 36.062 (d)(1-5) and asks why the differences
30 and suggests that a regulation project be initiated to clean it up a bit.

31
32 Walsh: Suggests that that is a rational point of view and that we could have done that when
33 we modified that regulation but that they worked from existing language and the existing
34 language gives more credibility to an undergraduate engineering degree than to a
35 technology degree or a masters or doctorate. It's the fundamental engineering education
36 that we are concerned with.

37
38 Chair: So are you recommending a regulation project:?

39
40 Jones: I am recommending that you drop the portion in each one of those that says "in a
41 branch of engineering listed in 12 AAC 36.990". If your technology degree was in civil
42 engineer which is listed in 990 is it any better than one not listed in 990? It's still a
43 technology degree.

44
45 Walsh: I certainly see your point. We were trying to streamline the ability of people to take
46 the FE exam with 75% completion of almost any engineering degree yet that specificity is
47 still in there. We could change it but I don't know that it is causing anyone any heartburn.

48
49 Jones: Can't recall a situation off hand but it must have effected someone or it wouldn't
50 have come to my attention. Just thought I would mention it if you want to change it good if
51 you don't that's ok also.

52
53 Fredeen: I concur that we should change it. What is the process?
54

1 Hanson: I had a question on process as well. Could we couple this with something else?

2
3 Jones: This isn't something that urgent. We could wait until we have something else to go
4 with it.

5
6 Baker: When our present regulations go through it will be a moot point.

7
8 Jones: It would still say ABET accredited.

9
10 Fredeen: I still think we should remove the specificity of those because there are new
11 branches of engineering degrees that are coming out like ceramic engineering. We're going
12 to see new technology coming out.

13
14 Walsh: Some of that specificity is tied to the PE exam and we don't want to lead people
15 down this path that you can take the FE exam in Alaska then all of a sudden you're not
16 qualified to take the PE.

17
18 Fredeen: Points out that UAF requires students to take the FE but if they had one of these
19 degrees not in 990 they couldn't graduate.

20
21 Chair: Asks if it is possible to hold a conference call to adopt regulations.

22
23 Jones: Yes if it's duly public noticed. We would have to have sites where the public could
24 go to where the facilities were available so that could listen in.

25
26 **On a motion duly made by Fredeen, seconded by Eriksen it was**
27
28 **Resolved to create a regulation project to address the limitations noted for the FE**
29 **exam under 12 AAC 36.062, item (d).**

30
31 Walsh: I'd like to see a demonstrated need for this.

32
33 Chair: To respond to that Vern did have an inquiry that caused confusion.

34
35 Jones: Adds that even with the way it's worded today there is still the possibility that
36 someone could be approved to take the FE and wouldn't be approved to take the PE.

37
38 Walsh: But that doesn't have anything to do with this reg project.

39
40 Chair: Any other comments. Would you restate the motion. We could hold this until we
41 have another project to add to it.

42
43 Fredeen: Restates the motion.

44
45 Motion passed with 2 nays and 1 abstention.

46
47 **b. Accepting .pdf transcripts from Universities.**

48
49 Chair: I believe that is referring to electronic transfer.

50
51 Jones: Explains that some of the Universities are offering their students the option of having
52 an electronic .pdf of their transcript sent the State Boards. It's cheaper and gets here much
53 faster. He points out that everyone is moving to electronic transfers to save money and that
54 this is an agenda item at the NCEES Presidents assembly coming up.

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Brownfield: Asks how secure is it?

Jones: Thinks it will be as secure as a paper document. They can be forged. Hackers can break into the NSA's systems so I don't think you're going to find a 100% secure system anywhere.

Brownfield: Are we having a big problem or is this just one guy?

Jones: Responds that it was just one individual who was told no and didn't have a problem with the answer. It was just a service that was offered by his University and cost less.

Baker: Doesn't have a big issue with it and thinks it will eventually go this way.

Shiesl: Agrees that it is going to grow and we might as well accept it.

Hanson: Thinks we need to get on board but need to make sure it is secure, that it comes from the school not the student. Financial companies do secure electronic transfer all the time. It's just a matter of time before all schools say we're not doing paper any more.

Walsh: Doesn't have a problem with it as long as its secure but doesn't think that's what we are talking about at this stage. He asks if we would have to log into the school's site to get the file or if it would just be attached to an email.

Jones: I don't know, I didn't get into that with them. I can research that.

Eriksen: Points out that we need to be careful because each university may be different in how they provide the pdf's.

Walsh: Agrees that we will probably end up accepting them but doesn't think this is the appropriate place to jump in.

Chair: Do you want to follow up on this Vern and get back to us?

Jones: Sure

Hanson: Points out that now the applicant requests the transcript and it's sent to us. With electronic transfer someone on our end is going to have to retrieve that document. He doesn't want to make work for staff.

Jones: Responds that we are doing that now with council records from NCARB and NCEES.

Eriksen: Thinks we may be moving the burden of providing the documents from the applicant to ourselves.

Rearick: Agrees that we are heading that way and as long as it can be authenticated we might as well get onboard.

c. Election of Officers

On a motion duly made by Brownfield, seconded by Baker it was

Resolved to nominate Harley Hightower as the next Chairman to take office at the

1 **beginning of the new fiscal year.**

2
3 **On a motion duly made by Brownfield, seconded by Rearick it was**
4
5 **Resolved to nominate Richard Heieren as Vice Chair to take office next fiscal year.**

6
7 Chair: I have two motions on the floor. Do you want to do a third?

8
9 **On a motion duly made by Brownfield, seconded by Hightower is was**
10
11 **Resolved to nominate Eric Eriksen as Secretary to take office next fiscal year.**

12
13 Chair: Any questions, comments?

14
15 **On a motion duly made by Baker, seconded by Walsh it was**
16
17 **Resolved to close nominations**

18
19 Chair: Based on Harley Hightower Chair, Richard Heieren Vice-Chair, Eric Eriksen
20 Secretary all those in favor signify by saying Aye.

21
22 Motion passed unanimously. Officers will take office after July 1st.

23
24 Chair: Congratulations Harley I will interject that you are one of the pillars of this Board and
25 you're very deserving of the position.

26
27 Eriksen: Adds the when attending National meetings someone is always asking "how's
28 Harley doing you know that guy is the greatest guy I know".

29
30 **d. 8N discussion**

31
32 Chair: That is a letter from an architect and we have been asked to read it and we will
33 discuss it tomorrow.

34
35 **Agenda item 20 – Licensing Examiner Report**

36
37 Kelly: Gives the Examiner Report. She elaborates a little on proctoring the LARE last
38 December. Hits on the bullets in the report and then reads the fun factoids.

39
40 Chair: We have time to go back to item 16

41
42 **Agenda item 16 – Meeting Reports**

43
44 **a. NCARB MBC/MBE Conference in New Orleans**

45
46 Hightower: That was a strategic planning session. We worked for two days on the strategic
47 plan and a practice analysis to develop the ARE and expand it to the IDP. I'll give this to
48 Vern and if anyone is interested they can read it.

49
50 **b. NCEES Law Enforcement Committee.**

51
52 Baker: This will tie in with the Licensing Examiners Report on the number of licensees we
53 have. One of the committee members is with the North Dakota board and he mentioned
54 that a few years ago they had fewer surveyors than us. Now they have 4700 surveyors and

1 they are getting 300 – 400 comity applications per month. They give their state exam 4
2 days a week and can grade it the same day and they can retake the next day or if they
3 passed they can be licensed the next day. The committee is going to develop a curriculum
4 for investigators and Board members, engineering 101 and surveying 101 to help train new
5 personnel. There are a lot of differences in the way our investigators do their interviews as
6 opposed to the way criminal interviews go. He explains that when someone applies for an
7 exam that they go through the whole process up to the point of registering with NCEES then
8 are told they can't take the exam because they were involved in an exam irregularity in
9 another jurisdiction. This should be made available to the Board up front. This information
10 should be on the enforcement exchange. He then talks about renewal fees and how they
11 are less in most states but then mentions that in North Dakota they pre-approve CE
12 providers and they charge them \$500 for the approval and \$500 per year after that. He then
13 goes into anonymous complaints and a survey showed that out of 32 Boards 24 of them
14 take anonymous complaints. He points out that the Boards are much more involved in
15 investigations and if they find that it is a violation they will be the one to file charges.

16
17 Brownfield: Asks about getting the information from NCEES to our Board regarding
18 irregularities.

19
20 Baker: They have that database available they just aren't letting us have access to it. It
21 should be like the enforcement exchange.

22
23 Brownfield: Vern would you have a problem with that?

24
25 Jones: I don't think we've run into it yet. But from an applicant standpoint I would have a
26 problem because they've already paid their fees and then they go to NCEES and pay for
27 their exam then are told can't take the exam and NCEES doesn't give full refunds and the
28 \$50 application fee they paid us isn't refundable either. If you're going to tell them no tell
29 them upfront.

30
31 Chair: Let's go ahead and stop that discussion here. He calls Jenny Strickler up and
32 presents her with a certificate and letter of appreciation for her support while she was Chief
33 Operations officer for the Division and invites her to dinner with the Board later this evening.

34
35 The letter accompanying the certificate read: The Board of Registration for Architects,
36 Engineers and Land Surveyors would like to thank you personally for the many years of
37 behind the scene dedication and unwavering support for our mission that you provided. We
38 are thankful for everything you have done, you will be missed. We wish you well and hope
39 your retirement is all you expected it to be. Please accept this certificate as a small token of
40 our appreciation.

41
42 Strickler: Thank you. (applause) This was unexpected. When Vern asked if I could come
43 to the meeting I said for what I've been retired since September 1st. I really appreciate this.
44 I worked with the Division for 32 years behind the scenes. I was here in the early day of this
45 Board and I must say this profession and this Board, really in case you didn't know, are sort
46 of the trend setters among many of the occupations here. To give you an example several
47 years back one of your National organizations was talking about a centralized application
48 process. It was the first of the 40 occupations to have mentioned that. That's one of the
49 things that come to mind. The other thing and I know you've been having some issues with
50 out of state travel and funding. It was this Board, I believe, that way back when it was called
51 WestCarb or WCARB and might still be, was the first to come up with what I thought was a
52 brilliant idea. Because we have to belong to the organization to give the exams they
53 increased the registration fees and use part of that to fund members to attend the national

1 meetings. That was the first profession to do that, your trend setters in that too.

2
3 Chair: It's unusual for Architects and Engineers to be granted that kind of accolades.

4
5 Strickler: Thank you and I'll miss you all. I miss the work but not the headaches.

6
7 **Agenda item 11 – Public Comment**

8
9 Chair: With that we will start public oral testimony a little early.

10
11 Ken Ayers: Good afternoon my name is Ken Ayers I'm a Professional Land Surveyor
12 registered since 1993. I'm here to speak regarding the proposed education and experience
13 tables for land surveyors. I'm also President of ASPLS and very briefly I would like to
14 address you from my position in that role and then speak on my own behalf.

15
16 The proposed regulations were first brought to our attention in ASPLS in November at our
17 board meeting and as we are a volunteer organization and run a board very similar to this
18 one that meets quarterly we have not been able to develop a consensus or even review the
19 proposal as a board. One of the concerns that we have is that this seems to be on a fast
20 track to get to a vote when we just spent a year trying to obtain comments. And the Board
21 itself noted that this is a very big issue. It's very divisive among our profession and we
22 would like to know if the process can be slowed down, if ASPLS can work with the ALS
23 Board as we have over the last several decades to better our profession. And the primary
24 point that I would like to leave you with on the Board today is if this is going to go forward to
25 a vote and you're going to mandate a 4 year degree path only to licensure to land surveying
26 that you very seriously take a look at the implementation schedule because what is
27 proposed is completely unreasonable. It has never been proposed on such a fast track in
28 any other state that has adopted this kind of a degree requirement. Those implementation
29 schedules have been on the order of 8 to 12 years and what that really comes down to is
30 that if you're going to mandate a 4 year degree requirement somebody that is entering the
31 profession today should know what the rules are. Because there is a lot of people practicing
32 land surveying in this state that are going to be completely disenfranchised by this new
33 regulation. Those people have never been approached or brought into the discussion most
34 of them don't even know what's going on. We are talking about hundreds of people that
35 work in the surveying profession as sub-professional, technicians in the field and they don't
36 even know that the rules are changing even if it public notices. The only way they are going
37 to find out about it is if their employer tells them about it or if they hear it through some other
38 source. Those people's lives are going to be effected. I would very seriously encourage
39 you to consider the implementation schedule. That is my biggest point from my ASPLS
40 perspective and my own personal perspective. So that's my ASPLS hat.

41
42 My personnel take on the issue is I've been following this for a number of years. I know
43 exactly where it began. I know where it's going through the record. I've followed it, I've seen
44 all the Board minutes. I know exactly what's happened. And the thing that I have been
45 asking since the beginning is what problem are we trying to address because there is no
46 problem. Professional competency based on the educational standards that we have today
47 is not an issue. We do not have a number of cases coming forward to this Board from land
48 surveyors that can be traced back to the education requirement. I'm trying to figure out what
49 the problem is and I've asked this question among our members on this Board, the ASPLS
50 Board and the entire membership and nobody's ever brought forward an answer. About the
51 best one I've seen is well, pass rates are better on the NCEES exam for those who have a 4
52 year degree. And that's great, that means the test is doing it's job. That's why we have
53 those tests. Those tests are the bench mark for the minimum professional competency for
54 licensure. And if you can pass those exams does it really matter what your educational

1 background is? I employ about 30 land surveyors I have 11 professional land surveyors
2 working for me. And my experience is in this profession the best land surveyors are the
3 one's that have a varied background. They come from all walks of life. They find this
4 profession, it's something that we love and we study it and work at it and continue our
5 education so that we can practice this profession. I've employed a number of students from
6 the UAA geomatics program which has a lot of difficulty since it's been implemented.
7 Currently they have one licensed land surveyor in Alaska that has been keeping that
8 program together for a number years, he's retiring this year, 3 new professors that, none of
9 which are licensed. They're all pretty much from an academic background. 2 of them are
10 more specialists in geographic information systems than land surveying. The University of
11 Alaska itself has a lot of problems. It hasn't supported the program very well in the past.
12 Their ABET accreditation was in jeopardy at one point. ASPLS stepped in to help with that
13 on numerous occasions. ASPLS actually funded the original ABET accreditation for the
14 geomatics program. And another side of the University issue is that increasingly a 4 year
15 degree is a privilege, becoming unattainable for many people in our society today. It's very
16 difficult for people in remote parts of Alaska to make a commitment to come to the University
17 for 4 years particularly if you have a family to support. There's some other problems with the
18 UAA geomatics program and I'm a big supporter of it. I've taken money out of my own
19 pocket and funded 4 scholarships. The problem was originally brought forward by Don
20 Davis at UAA and Bob Curley who's no longer with the program. They came to the ASPLS
21 Board in May of 2008 and they said we need your help. And the ASPLS Board being the
22 nice guys they were tried to figure out a way to help them. And what they came up with
23 was, we'll support a 4 year degree only path to licensure. I guess what I would like all of you
24 to consider that the point of licensure is public protection. If there is no issue, if there is no
25 compelling evidence that there is a public protection problem that we are trying to address
26 then what problem is it that we are trying to address? I put it to you that the problem we are
27 trying to address is a struggling geomatics program at the University of Alaska, Anchorage
28 was the catalyst for this whole discussion and that is not a good enough reason to change
29 our licensing regulation. That program needs to make its own way and they need to prove
30 that they can stand on their own two legs. There's been a lot of disinformation that's gone
31 around the table on this issue. The number of states that require 4 year degrees continues
32 to change but it's still less than 50%. California and Washington have two of the strongest
33 land surveyor societies in the nation, two of the toughest exams and a good number of
34 people that are practicing the profession. They don't require a 4 year degree. Neither does
35 Hawaii. So by my count there's something like 28 states that don't require a 4 year degree.
36 Georgia was recently added to that number but the deal is they're still in the minority. Our
37 own state allows a path to engineering licensure with additional experience. So we have a
38 statute limitation of 8 years experience for land surveyors. If this Board is really set on
39 passing a 4 year only path to licensure I'd really encourage you to think about that
40 implementation schedule. I'd really encourage you to think hard about why you're going to
41 vote for that. Is it an issue of public protection or is it an issue of supporting the University of
42 Alaska Geomatics Program. Or is it something as simple as it makes the administration of
43 the AELS board easier. That's not a good enough reason either. I think I've said pretty
44 much all I wanted to say. I know comity is an issue also brought forward from time to time
45 and honestly I don't know why anyone with a license in Alaska would want to go and
46 practice anywhere else. This is a survey state. This is where all the surveying is happening.
47 Most of the rest of the country the economy is not in very good shape. I have people calling
48 me from other states everyday asking me to put them to work. I don't see how comity is a
49 big issue, I know it is an issue you deal with as a Board but that's why we have a Board.
50 With that I'd be happy to answer any questions.

51
52 Chair: Actually we don't normally have an exchange. We just take public testimony. I
53 appreciate you coming all the way down here. The public testimony period for this
54 regulation extends to march 7th. Do please follow up with some written comments. Any

1 comments that were submitted previous to this public notice are not on the record as far as
2 this particular regulation. I encourage you to submit written comments. Again thank you for
3 coming all the way down here. Usually it's only three minutes for comments but I will try to
4 accommodate everyone with 5 minutes.

5
6 Stanley Sears: I'm Stan Sears and I'm here for myself I guess and I want to comment on
7 the eligibility for taking a LS exam. I always like to come to Juneau. Juneau's my home
8 town and the first survey I ever did was right down below here on Willoughby Avenue and it
9 was before Statehood. You can tell my age I guess. Anyway, I've actually surveyed for 51
10 years and been a registered surveyor for 41 years and I'm telling you a little bit about my
11 history because I think it's important for you. I now own a business called Photo Positioning
12 Service. We do mainly bush type work and controlling and high technology stuff. Part of my
13 life existed at UAA where I built the 2 year program and 4 year program that you were just
14 talking about and decided in 98 to retire and start doing some real surveying. Anyway that's
15 my history. I'm a surveyor first and an educator second maybe in that order. I want to talk
16 about just the education today and I'm not against the 4 year program at all. The 4 year
17 program is currently there and should remain. What I am concerned about is you have
18 taken the top piece and made it a 4 year program and it's the only way you can get into
19 surveying. People that go into surveying for some reason spend a lot of time in the field
20 before they decide that they really think this is something they want to do. As a result of
21 that, then if they are required to do a 4 year program and they've already started life that's
22 really an expensive way to get an education. Most of them won't do that. So I'm concerned
23 about that and the other thing is that I would like to see you maybe look at more options. I
24 like to see you keep the associate degree in there. If you feel like you need more years you
25 should probably put more experience in. You know surveying is a vocation where people
26 are in it and it's an apprenticeship thing. There are so many different instances out there in
27 the field that takes quite-a-bit of experience to do that. So you need to look at that. I looked
28 at the schools in here and there's only 20 schools and there's only 16 states with ABET
29 programs so as a result of that we've got one here in Alaska and I don't know what the
30 graduation rate is there now. I don't think it's very many but we are losing surveyors
31 because of retirement. And we're not getting in and I think we need to get more people in
32 the surveying area. So I think we ought to open it up instead of closing it down. Just some
33 of the things that happen. You know if you're going to make it a 4 year program they're
34 almost going to have to decide they're going to be a registered surveyor in high school
35 because of the expense of going to school and so forth. Then I looked at the back part.
36 You've got for those that attend a 4 year school, not an ABET, but a 4 year school you've
37 got 30 hours of math and science above the trigonometry level. And there are basically
38 three calculus classes at 4 credits so that brings you to about 12 credits. There's a couple
39 of other upper division classes and they go in three's so you could possibly I guess get into
40 differential equations and things of that nature and it would bring you up to about 18 credits
41 and then if there's three physics credits that's 12 so there's your 30. It seems like an awful
42 lot of math for a surveyor to have to go through to get that. And then there's 50 credits of
43 surveying and there's a lot of GIS and remote sensing and other things of that nature that
44 the state is not responsible, registered surveyor does not stamp a plat or record things that
45 GIS. So I wish you would look at that a little bit too. I think that's probably it.

46
47 Chair: Thank you Stan. The next person...actually Carol did you want to speak to the
48 regulation or did you want to wait to be last?

49
50 Olson: Actually I'm Carol Olson I'm with the State Fire Marshal's Office with Kelly Nicoletto
51 and we are here to answer questions, if there are any, regarding the Fire Protection
52 Engineering regulation.

53
54 Chair: On that basis the next person would be Janet Matheson. Again I'm going to let

1 people talk as long as they want as long as it doesn't get repetitious. It's not the normal
2 procedure but I will allow it. We appreciate oral input as well as written so we're bending the
3 rules.
4

5 Janet Matheson: I'll be brief. Ok, I'm Janet Matheson, I'm a professional architect. I'm
6 currently President elect of the Alaska AIA which is the American Institute of Architects and I
7 believe we have sent in a letter which should be in your packet which states our comments
8 on your proposed changes to the regulations that affect architects. Specifically with
9 regulation change 36.015 we are concerned and a number of other people who have written
10 in are also concerned that there is no clear definition of what is required to establish an area
11 of expertise. I think this is wordsmithing in the regulation but we would like you to be more
12 specific when you lay out that language. The Second thing that we are really concerned
13 about is the omission of the discipline that an engineer would be require to practice if you
14 have a general engineering seal. That's in 36.180. We feel that the engineers specialty,
15 their area of expertise should be on the seal. It should be added to the seal just as it is now.
16 So we do not agree with the proposal that there be a general stamp only. And then thirdly,
17 we oppose the addition of an architectural engineer registration. We feel there will be an
18 overlap on the part of the public and a non-understanding of what an architect does and
19 what an engineer does. An architectural engineer according to the educational information
20 you've provided studies the building systems which are mainly environmental engineering
21 systems and the title architectural engineer applies to education that is only offered by a few
22 colleges in North America. I also checked with National AIA and the National Association
23 has a different take on it and they restrict the term architect to persons only who are
24 licensed to practice architecture and have undergone the examination requirements
25 required by each state for this purpose. So we feel that by introducing an architectural
26 engineer into the license category in the State of Alaska is a red herring that is going to
27 have severe implications for the architects who practice architecture here. So we do not
28 recommend that that particular discipline be provided with registration. I think the only other
29 thing I would add would be speaking as an individual architect who's had their own firm and
30 as someone who's provided continuing education requirements to both our AIA organization
31 and the State for the past several years I don't feel that service in a professional Board
32 should entitle you to continuing education credits. I think it's something you should do as a
33 professional service to your colleagues and to the public. And that concludes my testimony.
34

35 Chair: Thank you Janet.
36

37 Jeffrey Wilson: Good afternoon my name is Jeffrey Wilson, I'm a architect in Anchorage
38 Alaska I've been practicing here for 34 years. I have a license in three other states. My
39 background is that I've been President of the AIA twice. Vice President twice was on the
40 Board for 15 years and historian for 16 years. I was also APDC President in 1980. Over all
41 that time the licensing laws in the United States overall and Alaska have changed some.
42 We've added things and change it throughout. The proposed changes I want to address
43 today are mainly the inclusion of this thing that Janet mentioned about inclusion of
44 architectural engineer as a field. The other one is regarding requiring the engineer be
45 designated on their stamp. First off I think the inclusion of adding another field, architectural
46 engineering, would do a disservice to both the engineering profession and the architecture
47 profession. It would be very confusing to the public because it would say on there that you
48 are an architect and an engineer. And as Janet has just reiterated to you this would be
49 against all the things that we are trained in as architects, number one and I don't see how
50 the public could differentiate between them. It would be very confusing. I think it would be
51 difficult to administer. And I think it would be very costly to the State of Alaska to administer
52 it at a time when we are trying to consolidate and lower costs in the State. You would have
53 to have people going around checking these things. For instance let's say a building was
54 built and the person said they were an AE and they did an elevation for a building and it

1 turned out the building wasn't some small thing but a big thing you'd have to argue where
2 this overlap between architects and engineer's were and that the people that did the
3 architecture didn't have any qualifications at all.
4

5 Regarding the stamp I think it is important for the public to know and for other non
6 professionals to know when they see a stamp on some drawing or specification what the
7 qualification of that engineer was and that architect was as a matter of fact. If its not on
8 there you can't look down at a set of drawings and say by the way the law requires that I
9 have a electrical engineer, a mechanical engineer, a structural engineer and a civil engineer
10 and a architect on this project you might see 4 stamps you wouldn't see which qualification it
11 was. You would then have to call the staff of your Board to go back and check and see who
12 it was. What would happen is that the State of Alaska would take it upon itself to do the
13 checking and the oversight when if it's included on the stamp it's right there for all to see.
14 Very simple, its self government because you're checking it as an architect or as an
15 engineer or some member of the public or especially if you're an approval authority like the
16 Building Department of Fairbanks or Anchorage or Juneau where you'd be able to look
17 down at the drawings and see what the qualification was. It's very simple. Well to reiterate
18 what I said here today. We think the inclusion of the new AE as a field would be a mistake
19 and I think that changing the law to say that you don't have to have your designation as a
20 engineer on the stamp would be a mistake. I might note that we took a vote of our
21 membership and over 60 people responded. 95% of them were against both of these
22 changes and I think that's in your packet today. Thank you very much.
23

24 Chair: Thank you Jeffrey.
25

26 Sean Boily: I am an architect here in the State of Alaska, I didn't bother to count how many
27 years but not nearly as many as Jeff. I would like to keep this quick. My partners and
28 myself put together a letter that was submitted to this board earlier this week and I think one
29 of our bigger concerns is the inclusion of the architectural engineer as recognized in the
30 State of Alaska as a stamp. Again to echo what Jeff just said, I do think it's going to cause a
31 great deal of confusion on the part of our clients and review committees of the various
32 municipalities. That's something, I think, that this board and most of the professionals in the
33 State of Alaska have been working to make clear to anybody seeking the services of an
34 architect or an engineer. So please, on behalf of my partners and myself if you could take a
35 look at that letter we sent and consider that in making your decision. Thank you.
36

37 Chair: Thank you very much Sean.
38

39 Mike Lukshin: My name is Mike Lukshin, I work for the State of Alaska at DOT as the State
40 Ports and Harbors Engineer, today I'm representing myself and not the State. I went to
41 school in Fairbanks. As a background I feel like I have to say how many years of service I
42 have based on some of our previous testifiers. Graduated in 88 I've worked in Alaska ever
43 since and been registered since 93 as a civil engineer. Today I'm responding to the
44 proposed regulations changes that were issued on November 4th of 2010 regarding
45 professional engineering requirements, education requirements and the use of seals. My
46 message is actually a very positive one. I want to congratulate the Board, its special
47 committee on general licensure in terms of recognizing that every engineer is first and
48 foremost a professional engineer bound by his education and his or her experience and
49 other training as referenced in AS 8.48.171. In addition the regulations that this Board has
50 adopted has its own code of professional conduct reference chapter 12 AAC 36.200 which
51 shows that engineers will practice within the discipline that they are educated in, that they
52 have training in and that they have the experience in. I think that by the Board considering
53 the idea of going to a general licensure practice shows foresight. Alaska's unable to stay
54 current with all the various new professions of engineering that may become developed by

1 educators, by Universities that are adopted and blessed by ABET and then NCEES
2 examinations developed for and I think Alaska needs to be in the business of insuring what
3 you call the three legged stool. Going back to the Statute, the education, experience and
4 other training this Board has referenced many times in its meeting minutes and discussions
5 that your job is to provide for the safety and then leave it to the educators and the national
6 standards, the NCEES to develop exams that say what you can practice within. So I think
7 that we have enough provisions to support a idea of going to general licensure for exams
8 may be now in place or exams may come into the future. Say for instance biomechanical
9 engineering or some other oddball thing that we wouldn't think of in today's construct. I
10 think that the Board needs to concentrate on safety and practices and leave those
11 regulatory examination requirements to the national committees. I add one other comment
12 that in the proposed changes there was mention of including the date within two inches of
13 the seal and I would just add my two cents that I think really what the Board wants is to have
14 the date and seal done on the same day and so I would make a recommendation that I
15 would think would be favorable is to amend the design of your seal to include space for the
16 date. So the engineer that stamps their drawing is going to apply his date in the same time
17 frame. Because trying to make anybody, and this probably goes architects and land
18 surveyors and landscape architects too. To measure two inches and you know scale
19 drawings, you get a small set and it gets blown up. I think it would be very difficult for the
20 Board, the person you send to examine us, in terms of holding us to a standard that we did
21 not sign the date within the two inches. I don't want to go through that argument and that
22 discussion so I guess I would make the recommendation that you amend the design of the
23 seal to include space for the date underneath your name. I think that would be a good thing
24 for the Board to adopt. I see a couple of favoring nods and I think that makes sense. Again
25 please consider the proposed regulations general licensure.

26
27 Chair: I should interject here that the Board is very quiet, we normally do a lot of talking, it's
28 very frustrating I know. All of them want to respond to everybody that's been giving
29 testimony, but to be fair we can't engage in a back and forth. That's been our policy and I
30 can't change our policy to accommodate one public notice over another with oral testimony.
31 Maybe someone will catch you on the way out.

32
33 Mr. Lukshin: Thank you Mr. Chairman.

34
35 Rich Pratt: Am I last on the list.

36
37 Chair: No sir.

38
39 Mr. Pratt: Darn, thought I had a whole half hour. I was going to really fill in the time here.
40 I'm just teasing, I'll try to keep this brief. My name is Rich Pratt, I'm a professional engineer
41 in Alaska. I'm also registered in 3 other states. To complete the picture I'm the Chief Bridge
42 Engineer for the State although as Mr. Lukshin I'm testifying on my own behalf and not as a
43 representative of the DOT. I submitted an email earlier today with my comments and this
44 has to do the proposed regulation changes for general licensure. As the surveyor who
45 spoke first today questioned, what problem are you trying to solve? I asked that somewhere
46 around a year ago when I spoke to the Board and I still don't know what problem we're
47 trying to solve. However, and with that in mind I would vote against general licensure,
48 however, if the board decides in their wisdom that general licensure is the way to go then I
49 support the way it's presented in the proposed language that you sent out for our review.
50 There was also a second document that was sent to us that was authored apparently by Mr.
51 Brownfield, it has his name on it. The electronic file called it frequently asked questions.
52 The very first one referred to the issue, should we be showing the designation of the branch
53 of engineering in which we are practicing? And his response is yes at this point the Board
54 feels it is important. To me this goes against the very language that your presenting.

1 You've deleted those designations within the regulations and all the new branches that are
2 being added don't have a designation. So I'm not sure how someone is suppose to do that
3 even if they wanted to. The other, and the reason I'm really testifying about this is I think it's
4 just one step away from creating 16 distinct professional engineering license classification
5 within the State of Alaska. So we're not really going toward general licensure. What we are
6 going to is a more specific licensure where we have the issues we spoke about before
7 about, I work in bridges but my license is civil engineering. Am I supposed to be a structural
8 engineer, do I need to take a test, do I need another license? It just seems like one thing
9 after another is leading to that so I guess unlike my colleagues and the architectural
10 profession I would argue for just showing our numbers, not showing the designation of
11 engineering on the license. Thank you for your time.

12
13 Chair: Thank you Rich.

14
15 Kelly Nicoletto: Good afternoon my name is Kelly Nicoletto I'm Deputy Director of the Alaska
16 State Fire Marshall's Office and here to speak about 08.48 and the inclusion and recognition
17 of fire protection engineers. I want to say thank you. It's about time. We for a long time
18 have wanted to see professional fire protection engineers recognized by the State. We think
19 there's a dedicated space for them especially in the contractual realm when a customer
20 comes to them with a complicated facility and right now there is no ability for that to happen
21 in the State. The work goes out of State, comes back in State and gets re-stamped by
22 someone else with an Alaska stamp and ultimately comes to us for review. So there's a
23 place, at the same time we want to avoid unintentional consequences. Because FPE has
24 not be recognized in this State our office has been given the authority to develop a program
25 to allow design of fire protection engineering systems whether it be electrical or whether it
26 be mechanical. These companies are currently practicing that event. When those plans
27 come to us they have their permit numbers onboard. We have issued them a permit to work
28 or to design and have gone through their backgrounds to achieve that and I think there is a
29 place for both. What I am fearful of based on the language I've seen in a couple of the
30 documents. And probably what the industry is fearful of is that there will be a supplanting of
31 the professional engineer over all work considered to be design work for fire protection,
32 sprinkler systems, alarm systems and what-not. I think there's a place for both. But my
33 intention is, my preference not my intention, my preference is that that be a symbiotic
34 relationship. That there be parallel operations. Where do you draw the line, I leave that to
35 the Board. But for sure on the contractual side there needs to be able to identify the need for
36 a professional engineer to do fire systems. And on the other side for a lot of the work, not
37 requiring things like smoke control studies and risk analysis in areas that are very
38 specialized. Someone who has been trained to the NICET levels that are appropriate with
39 the experience levels that are required to go along with that should be able to do that work
40 and still give them their permit number without necessarily having the oversight of a
41 registered fire protection engineer from this state. So that's what we would like to see. We
42 really like the idea of having that discipline recognized. And if I may add, based on the
43 previous testimony I've heard for this other subject on the stamps. Whatever it takes to
44 make it easier for a person like us who gets a set of stamps in front of us and we're trying to
45 decide who has got, not the liability per se as in the legal question, but what kind of work is
46 being done verses the stamp that is being given what you can do to make it easier on our
47 side we would prefer believe me. Having to go back to the engineer and ask them
48 questions about their abilities is actually halfway insulting. I would think from the engineers
49 side because they're professionals, they went to school for this. Today often time we have
50 to ask those questions and then if we have to come back to the Board or some of the
51 employees of the Department to ask what about this guy or not because the discipline in
52 light of the plans being submitted. That's kind of problematic and, I think a wasted effort.
53 So in a nutshell if you can simplify it so we can understand the discipline matching the work
54 we're good. Again thank you for letting us address you and I know you're not in the habit of

1 asking questions in oral testimony but if someone was to meet me out the door I'd be more
2 than happy to answer your questions.

3
4 Chair: Any other follow-up? Alright with that I guess public hearing oral testimony is closed.
5 Just to let everybody know, public notice closes at 4:00 this afternoon there's still time to
6 submit any written...

7 Walsh: The announcement said 4:30.

8
9 Chair: I'm sorry I was told 4 by someone else. (laughter) I'll entertain a motion to adjourn
10 for 10 minutes.

11
12 Break 1:55pm to 2:17pm.

13
14 Chair: Calls meeting to order.

15
16 **On a motion duly made by Baker, seconded by Fredeen it was**
17
18 **RESOLVED to go into Executive Session under authority of AS 44.62.310 to review**
19 **the continuing education audit and review applicant files.**

20
21 5:45pm adjourned for the night.

22
23 **Friday February 4, 2011**

24
25 8:25am: Meeting called to order. Roll call – all present.

26
27 Chair: If you're ready Neil we'll go right into your presentation. While he is setting up lets
28 going into unfinished business. We had not finished item 16b Cliff were you finished with
29 your report?

30
31 Baker: Yes

32
33 Chair: He then gave a report on his involvement in the NCEES Surveyor Examination
34 Committee. They are working on a question bank for Computer Based Testing (CBT) and
35 have about a third of the questions they need. They meet again in June and he feels they
36 will be ready for CBT by next year. He then reported on a Professional Activities and
37 Knowledge Study (PAKS) he is involved in for evaluating presenting exams and keeping
38 them up to date. They sent a questionnaire to 5000 surveyors and their responses to the
39 questions will determine what the exam questions will focus on. They do a PAKS every
40 eight years.

41
42 **Agenda item 21 – Board Travel**

43
44 **a. NCEES Presidents Assembly for Board chairs and MBA's**

45
46 Chair: Next week Vern and I are heading to Atlanta. That will be my fourth trip in two
47 months. I'm tired of Atlanta.

48
49 **b. Sprint CLARB meeting.**

50
51 Chair: Bert is going to that and you're not going is that correct?

52
53 Jones: I'm not going. Here is the deal with my travel right now. I have talked to our Director
54 and until we get more money in our travel budget I will only do one meeting per organization

1 per year and maybe that will stretch our budget a little farther. And I'll probably try to make
2 the Nationals instead of the zones.
3
4

5 Chair: Cuts off the discussion and introduces Neil Windsor and Kim Farwell of APEGGA
6 who are here to discuss Licensure Mobility between Alaska and Alberta.
7

8 Ms. Farwell: I'm Kim Farwell President of APEGGA the Association of Professional
9 Engineers, Geologists and Geophysicists of Alberta. In our association we have the
10 Engineers and geoscientists together and I understand with you it's the engineers, land
11 surveyors and architects. We all do the same sort of work so it's a different mix and match
12 and different fit in different places but what we have in common is the engineering element.
13 But that doesn't mean we can't talk about the other professions that are included in both of
14 our regulatory jurisdictions. We are set up similarly and differently from your Board. Our
15 Board is an elected council. We have a self governing legislation at the behest of the
16 Government of Alberta. Our council is all professionals who are registered with our
17 association. We are looking out for the exact same things as you though. It's the public
18 interest not the individual interests of our professional members, and making sure we are
19 practicing in the best interests of the public of Alberta. We've been to see your Board on
20 three occasions in the past. I haven't had the pleasure but Neil has been here before. I did
21 have the pleasure of meeting some of you at the PNWER meeting and it may have been
22 also in Denver at the NCEES meeting. So we've crossed over a little bit. This is the first
23 time I've ever been to Alaska so it's a pleasure for me. What we want to do today is dialog a
24 little bit about comity with Canada. Neil's going to do a presentation that will bring
25 anyone.....people who may have seen parts of this before, because Neil has just updated
26 some of the data to bring all of you up to speed. We'll go through that quite quickly and then
27 open it up to some dialog and any questions on that and also talk about some of the ways
28 we do business and perhaps learn some things on that as well. And if you'd like get on to
29 the next steps on how to make it happen.
30

31 Chair: Thank you Kim.
32

33 Mr. Windsor: Thank you for the opportunity to talk to you again. This is our third time, we
34 were here in 2002 and again in 2008 and now back in 2011. You're not alone we've gone to
35 other State Boards more than once as well. Washington is going to be a regular thing for us
36 in think, before we get them straightened out. I'll go through it very quickly but please feel
37 free to interrupt me at any time if you have question.
38

39 So our purpose is to increase awareness of the steps to licensing, compare Canadian and
40 U.S. systems. Determine if there are significant differences in the outcomes. That's the
41 key. We're not here to say your system is wrong and ours is right or vice versa I think both
42 systems are equally good. The key, is the outcome the same? Are we equally providing
43 licenses to competent people? Is there a difference in the competence of those we license,
44 in their ability to ensure public safety and to review other International systems perhaps.
45 International recognition of the Canadian System is our object around the world and we
46 have some reciprocal agreements around the world. It's just the United States but because
47 of your system in the United States we have to go Board by Board. You really don't have
48 any consistent system about the country and your examinations and so forth you're all
49 autonomous. In our case we have Engineers Canada which is a body that the provincial
50 bodies own basically. They're our parent organization or our National organization. They
51 do represent us on International things.
52

53 So what's important? Career development for professionals? Life style career bounds of
54 professionals? Global market place demands? We all know the market place is changing,

1 nowhere more so than Alberta and Alaska. If the pipeline gets to go there is going to be an
2 amazing amount of activity. Well, we have different licensure requirements. There is no
3 question about that. Somewhat and around the world it is definitely so. We are now living in
4 an electronic world. Engineering is being done in Alberta and sent overseas overnight and
5 more work is done and sent back in the morning. I'm sure you're doing the same thing here.
6 Increasing specialty knowledge, there is innovative technologies coming out that we all need
7 to be aware of. There are various codes and standards and local conditions and so we
8 need to know that. And we come to that when people come into Alberta we insure that they
9 are familiar with codes and standards and local conditions. And business practices
10 particularly with people coming from some of the third world countries. Business practices
11 are a little different and ethics are a little different than they are in Canada and the United
12 States. We need to ensure that they understand the requirements in that area as well.

13
14 So what's the value of International Mobility? Obviously for the individual professional it's
15 the ease of being able to travel around the world and practice what they do, equitable
16 treatment for all, a means of establishing international standards around the world. A lot of
17 that work is being done by the World Federation of Engineers Organizations and by other
18 bodies such as Engineers Canada working with their counter parts around the world and
19 trying to find standards that work. And there are some countries that are very similar to
20 Canada and the United States in the standards that they apply. As a means to ensure that
21 National practices is at the International level and that's important to our members.
22 Although we primarily serve the public I think we also have to think about our members and
23 make sure that their rights and privileges are protected as well. And so if we can ensure
24 that they have an opportunity and that they meet standards in other parts of the world then
25 that's to their benefit and to ours as well. We accelerate re-evaluation and improvement in
26 national systems. We work with other provinces and states, we learn from you and
27 hopefully you'll learn a little bit from us and we'll all find the best practice and move in that
28 direction, to facilitate economic development, no more so than between Alaska and Alberta
29 in the near future for sure. To support government initiatives to facilitate mobility Nationally
30 and Internationally such as, in our case agreement on intra provincial trade. In Canada
31 there is an agreement between provinces which now dictates that there should be mobility
32 between all professions and occupations in Canada and we are good with that. We in fact
33 were used as examples as we already had a National mobility agreement. And I'll show you
34 why we could do that in just a moment. TIALM is a Trade, Investment and Labor Mobility
35 agreement and now there's a new Western Agreement so there are three or four
36 agreements throughout Canada, federal provincial agreements. Some are Provincial and
37 it's very clear that governments in Canada are very much pushing towards mobility, certainly
38 within Canada. We are moving barriers aside.

39
40 Now in Canada, a little bit of background, our PEng and PGeo are the Canadian
41 professionals. We are provincial and territorial associations where as your State Boards are
42 attached to and answer to a State government. We answer to a minister because there is a
43 minister that is responsible for the act that empowers, but we are an independent
44 professional body. And as Kim pointed out we elect a council and our council governs the
45 profession. We don't answer on a day to day basis to any member of the public service.
46 Unless we go astray then we certainly hear from them of course through the Ministers office.
47 There's been self governing legislation since 1928 as most provinces in Canada have that
48 and the U.S. In the U.S. it's a PE or PG as we talk to geologists as well so I'll sort of
49 combine this. 29 of the States have licensed geoscientists out of your 52 or 54 jurisdictions.
50 They are governed by a State department where as we have our own self governing
51 legislation. So we have to work within that legislation. Your State government Department
52 make sure your operating within the legislation.

53
54 The NAFTA agreement of 1995 did not work as proposed. That's North American Free

1 Trade Agreement. Canada and all Canadian Provinces signed on, Mexico signed on and
2 Texas signed on. Texas was the only State that signed on. There were two or three other
3 States Nevada and Arizona that have really been honoring it. Other States have been
4 somewhat honoring the NAFTA agreement through the years. So it's been very close but in
5 most cases State Boards chose not to sign on to it. I guess the difference there is we had
6 Engineers Canada to bring all of us together and insure that we all signed onto it. NCEES
7 doesn't play a role, to our knowledge, in doing that kind of thing in the United States. We
8 have these intra association mobility agreements that I announced. We built those in
9 advance of those trade agreements that I talked about a moment ago. In 1999 all across
10 Canada we signed a mobility agreement with certain conditions in it. That made 99.98% of
11 applicants then we found as we went through actually got licensed without further
12 examination a very small percentage that we would want to look at. That was renewed in
13 2004 and then we signed one for geoscientists in 2001.

14
15 Cross border licensing however is difficult without the applicant meeting exact requirements,
16 in other words comity. You talk about comity we talk about reciprocity. Same sort of thing
17 except reciprocity is a little softer, comity is pretty firm. You must meet the exact prescribed
18 conditions that are required in the jurisdiction. In our case we look and say is that person
19 substantially equivalent? Are we satisfied that that individual is competent to practice and
20 that public safety is being protected by that? Are the outcomes the same? So we look at
21 outcomes assessment here. Must we all follow the same route to arrive at the same
22 destination is the question. Trying to develop an understanding of outcome equivalencies to
23 create laws, rules and policies that minimize or eliminate impediments to cross border
24 licensing and we are dealing not only with the United States but other countries of the world
25 as well. But we are focusing largely on the United States at the moment and it creates a
26 mutual trust and respect and I think we've done that in a number of cases in the past 11 or
27 12 years that we've been doing this. We've signed a number of agreements with other
28 States. The key principles are straight forward and I think you accept the public safety must
29 not in any way be compromised. We must recognize the need for improved mobility of non-
30 resident professionals and APEGGA members working outside of our recognized economic
31 realities. Mega projects are happening, companies are bringing people in, we have a huge
32 problem in Canada because of your industrial exemption where in the United States
33 thousands of engineers working in industry are not licensed the company is taking
34 responsibility. Well that company is also working in Canada so uh-oh you need to be
35 licensed now. Many of them come in and do work and go back again and I'm sure they're
36 not getting licensed and you can't find them all. But most companies, we've been doing a
37 lot of work in the last few years actually meeting with the heads of the companies and
38 getting it coming down from the CEO saying if you're qualified to practice in Canada then
39 you shall be licensed in Canada. So we've had a large measure of success in that in the
40 last few years which is important in getting these international companies to recognize the
41 requirements in Canada and other countries of the world. Open, transparent, consistent
42 changes that are fair to all. No more burdensome than necessary and recognize mutual
43 trust and respect.

44
45 So your system the predecessor was formed in the 1920's the same as in Canada our
46 National Body and licensing system started in 1920. ABET formed in 1930 separate from
47 NCEES. You require 4 years progressive engineering experience as we do. Professional
48 societies are separate from the Board. We talk of National Societies of Professional
49 Engineers. There is a big difference between a society and a regulatory body yet they have
50 a stake as well. 8 hour fundamental engineering exam and 8 hour PP exam that you
51 require.

52
53 Let's look at the Canadian system. Our legislation is 1920 as well. Engineers Canada is a
54 coming together of all of the 12 Canadian jurisdictions, 13 now, Canadian jurisdictions. We

1 have the CEQB, Canadian Engineering Qualifications Board. We set qualification all across
2 Canada through our National Organization and that Board is represented by people from
3 each of the Provincial bodies across the country and Universities and so forth, deans of
4 engineering and professors, experts in what is required for engineering licensure. So QB
5 sets the standards for all engineering programs in Canada. Our accreditation Board, CEAB,
6 accredits University programs. Every program in Canada is reviewed every 6 years and
7 must meet the National Standards so every program in Canada is consistent. I know that a
8 kid that comes from any University in Canada meets our National requirements. They have
9 all the required academic work that's necessary and industry confirms that. We talk to
10 industry people and they say I can pick up a kid from any University in Canada, I know
11 they've got the basic tools. Now we've got to teach them how to use those tools. You only
12 learn the basics in University. We also require 4 years of progressively responsible
13 experience as a member in training.

14
15 Professional society functions will be prior to association activities. We do two things we do
16 regulatory stuff and we also provide certain benefits for the members. We are very careful
17 to see that these are not self serving that the two activities are not contrary in a way, shape
18 or form. Society functions are clearly secondary to our regulatory roll. We do have a two
19 hour Professional Practice exam which basically covers law, ethics and business practices
20 and so forth. Very important, particularly for people coming from other countries of the world
21 where ethics are sometimes different or business practices are different and it's a basic
22 exam that everybody writes even Canadians. Everybody who gets licensed in Canada must
23 write this two hour multiple choice exam and if you don't pass it you really shouldn't get
24 licensed.

25
26 Baker: It this what's called the ethics exam?

27
28 Windsor: Yes, if you've heard about our ethics exam, that's it. It's ethics, law and business
29 practices. So, let's look at the comparison here on one sheet, this is the key. You have
30 ABET which is an accreditation board, it's separate from your Board and NCEES, you pay
31 for services there. We have our own accreditation board that we own and we govern.
32 There are some varying standards in the United States. We have QB standards. You look
33 at two engineering programs and they're different. You take two Universities and one is a
34 high level program and the other is a lower program. Your FE exam shows that and your
35 PE exam as well. We have exams if required. Our Board of Examiners looks at the
36 academic and experience and are not convinced that this individual is fully qualified we will
37 assign exams. As much as sometimes 20 exams if the individual is from some country that
38 we don't know anything about the engineering program. If he comes from the United States,
39 generally, we have a very good idea of the program and it would probably not require as
40 many exams, if any. You have the State Board review and we have our Board of
41 Examiners. Very little difference what you do around this table our Board of Examiners
42 does. Our Board of Examiners has 55 to 60 members on it. They are all professional
43 members, two thirds of them are academics, one third are business people. The academic
44 people look at the academic requirements and the business people look at experience and
45 determine if the applicant meets the experience. They do a very thorough examination in
46 fact sometimes you could fall asleep while they argue over a particular case. They are very
47 thorough, dedicated, they are volunteers. They meet at least one day a month and twice a
48 year for two or three days and they get paid absolutely nothing for doing that work. They
49 are very dedicated people. We require professional references, as you do. Four years of
50 experience, as you do. You have some state specific exams and professional development
51 programs. We have a professional practice exam. We also have a continuing professional
52 development program, a mentoring program. Our professional practice exam is one that
53 everybody writes. You have an industrial exemption that I mentioned earlier, we do not
54 have that. Industry, no matter what business you're in if your practicing engineering or

1 geosciences you must be licensed.

2
3 Now the differences here, you have 15% to 20% of engineers in the United States licensed
4 according to NCEES. That's because 80% are working in industry and don't need to be
5 licensed. Not that they are not competent, not qualified but under your system they're not
6 required, the industry is taking responsibility. It don't give me a warm fuzzy feeling when I
7 step on a Boeing aircraft to know that those engineers are not licensed by anybody, but your
8 system seems to work pretty well. In our case 80% to 85% are licensed. There are about
9 15% of persons that are probably qualified to be licensed but they are probably working in
10 daddy's business or they've gone into investments and are making real money. But
11 essentially anybody who is practicing engineering or geosciences in Canada is licensed.
12 There is a few that fall underneath but we eventually find them and they find some time to
13 spend in jail.

14
15 Here's the telling story. The FE exam results. As you know we've been using the FE exam
16 for a number of years. We now use it almost consistently, particularly for persons coming in
17 from outside of North America. It's pretty much a basic exam if we think they are close to
18 being qualified. So here's our history from 2004 to 2011. So there you can see our pass
19 rate from our Canadian Engineering Accreditation Board, Canadian educated individuals
20 97.4 percent on the first try. For international educated graduates, these are foreign
21 applicants who come here from around the world, some from the United States but most
22 from other parts of the world, 50.8% pass rate. The NCEES pass rate is 58.4% for all of
23 your grads for those that choose to write and want to become licensed, in other words to not
24 be working in industry. So it shows that our educational system is very consistent. And our
25 pass rate is 83% verses international grads 78% and overall averages are shown there. I
26 believe it show that our system is so consistent that anybody who has gone through it can
27 pass the FE with very little difficulty. We started doing it about 6 or 7 years ago just to see.
28 We encouraged kids coming out of University, hey write this thing we'd like to see how well
29 you do. And the first 3 years, these new grads coming straight out we had a 100% pass
30 rate. Then others who'd been out for a while who chose to write it, primarily because they
31 wanted to practice in the United States and had businesses in certain states. It did come
32 down a little bit because those are not all Canadian grads, those could be people from
33 anywhere in the world who are then writing to get licensed somewhere else. So there is no
34 evidence that the public in either country are more exposed to harm than any other country.
35 I think they're equal the PE's and PEng's have arrived at the same destinations even though
36 they took different routes to get there. Some of our initiatives, I won't go through, some of
37 you have put up with us that many times in various NCEES West meetings, National
38 meetings and State Board visits, PNWER meetings, we're very involved with PNWER.
39 There have been farm resolutions in PNWER from the Senators and Legislators and
40 Ministers from all of the PNWER States. I don't know if everybody is familiar with PNWER,
41 no, it's a government organization of 5 U.S. States and 5 Canadian Provinces. So it's
42 Oregon, Idaho, Montana, Washington and Alaska. And it's BC, Alberta, NW Territories,
43 Yukon and Saskatchewan. So 5 and 5 now that Saskatchewan and NW has recently joined.

44
45 Chair: So that's Pacific Northwest Economic.....

46
47 Windsor: Pacific Northwest Economic Region. It's based in Seattle and there is a National
48 meeting every summer and a winter meeting usually in January or February. A number of
49 your people have been involved. We met Fred Dyson last night as we were leaving the
50 hotel. Fred was Past President. Lisa McGuire was a Past President and we are going to
51 meet them a little later this morning just to say hello. It's a wonderful organization. It brings
52 Canadian and U.S. Legislators together and every year I've hosted our workforce workshop.
53 And part of that has focused on mobility for professionals and gotten full support from the
54 legislators that were there.

1
2 You have revised your legislation. You now waive the FE for Canadian grads. You're
3 looking at the PE and that's the real question. Let's get on with that, gentlemen, ladies.
4 Texas has signed and honored NAFTA since 95 and recently signed a mutual recognition
5 agreement through Engineers Canada so it covers all of us. So basically we have full
6 mobility with Texas, better now than we had last year. Nevada has adopted a policy and
7 signed an agreement with APEGGA to waive the FE and PE with 4 years experience after
8 licensure, basically, full mobility with Canadians. Arizona has not signed but has honored
9 NAFTA for 10 years experience and now adopted full reciprocity with CEAB grads. So any
10 of the Canadian grads, they are not yet sure how well we screened those coming in from
11 outside but they will accept those who graduate from Canadian Universities. Idaho has
12 twice revised legislation to waive the FE and then PE. We're still at 8 years experience and
13 we're fighting to get that down to 4 which is the standard. Washington has proposed to
14 waive the FE and PE. Recently a motion was defeated by the Board and you probably
15 know as well as I do it was a political battle. It was right in the middle of an election and
16 certain people used their politicians to put pressure on the Board and the Board chose not to
17 make that decision at this point in time. I think they will in due course. There is certainly a
18 willingness on the Board's part to move in this direction. We met with them, in fact, during
19 the Olympics. We met with some of the board members and talked about some of the
20 problems they were having and what they wanted to do. I think we were able to help them
21 get their heads around how to do that and basically it was very simple. Give yourself a little
22 more flexibility within your legislation. Most of the legislation in the United States is very
23 specific legislation. In Canada ours is enabling legislation which enables our Boards to make
24 decision on different cases where many cases in the United States it's very restrictive and
25 so your hands are tied as a Board anyway you look at it. Different Boards have more
26 flexibility than others, some are very tight. Montana could waive the FE with a doctorate
27 degree they do recognize CEAB as do Colorado and many others. A lot of U.S. Boards will
28 recognize a CEAB degree. You've still got to write exams. Montana has the right to waive
29 the FE if someone had a doctorate degree. There are a couple of other States in that area
30 too. Utah, Oregon, California, New Mexico, Colorado and Arkansas have all expressed
31 interest in it. We've been talking to all of them in a greater or lesser degree. Florida showed
32 considerable interest, we've been down there twice talking to them but they weren't on our
33 hit list. We were concentrating on the Western Zone but they invited us down and I was
34 happy to go to Florida. PEO recently signed an agreement with Michigan so there is
35 mobility with Michigan. PEO has had an industrial exemption but their legislation has just
36 been changed so their industrial exemption will disappear so they will be consistent with the
37 rest of Canada.

38
39 Farwell: PEO is Ontario by the way.

40
41 Windsor: Delaware is a self governing state basically it provides full reciprocity. They've
42 always been an easy state for Canadians to get in. Main and New Brunswick have full
43 mobility but they haven't got it in writing. They don't want to put it in writing because it would
44 spoil it. It works very well, they have an agreement and engineers can work very freely
45 there.

46
47 So in conclusion is that a PE equals PEng. We've seen no evidence in all that we've done
48 over the last eleven or twelve years in all of these discussions and the exams that we've
49 taken and comparing results from Canada and the United States. No reason to conclude
50 that there's any difference in the competence of individuals who are licensed in either one of
51 our countries. So that's why we are talking to the State boards and encouraging them to
52 open up mobility. Nowhere is it more important than in the Pacific Northwest Region. The
53 PNWER Region because of the mega projects, the Washington issue. A gentleman who
54 started that, one individual out of Bellingham started that and he was able to garner a lot of

1 support. Public support, and news paper writers and politicians who were stumping an
2 election and of course engineers who said oh yea we don't want Canadian engineers
3 coming down here. And my answer to him is we're not here to steal your jobs, we're here to
4 steal your engineers. We have a huge shortage of engineers in Alberta. We have 60,000
5 members in Alberta right now and we process over 6,000 applications a year and we still
6 have a shortage and over the next two years we're going to have a huge shortage because
7 there are some big projects that are going to start up again. If the pipelines go we both have
8 a huge problem because we just don't have it. Within the PNWER region I've chaired
9 workforce workshop sessions for the last nine years and we've always focused on finding
10 competent people to do the work that's taking place. This region, the PNWER region is the
11 11th largest economic region in the world. Huge and that's a number that was generated 8
12 years ago. That's even more so now, we're probably around 8th or 9th. Huge economic
13 region, so that's the rational for it, to make it easier for engineers and engineering
14 companies to move within this region so that we can take advantage of the expertise. We're
15 not here to steal jobs, we're here to make sure that engineers in Alaska that are competent
16 can quickly move into Canada and work with Canadians. This pipeline, if you think this
17 pipeline is going to be built, this section in Alaska this section in BC, this section in Yukon,
18 this section in Alberta. That's not going to happen, there's going to be companies that are
19 going to come in here and put together the engineering and construction of that. We're all
20 going to be working together and to do that we're going to have to have reciprocity. We're
21 going to have to be able to get licensed in each jurisdiction that that pipeline's going to go
22 through. There are huge opportunities and we need to seize them.

23
24 Walsh: Asks what the PNWER regions were again.

25
26 Windsor: It's Alaska, Washington, Oregon, Idaho and Montana and Canada is British
27 Columbia, Alberta, Northwest Territories, Yukon and Saskatchewan. I've shortened this
28 presentation. I use to have a PNWER map up there at one at one time.

29
30 Rearick: Asks if he could speak to reciprocity within the Provinces of Canada.

31
32 Windsor: We are basically full reciprocity. We always have since 1999 that we signed the
33 first mobility agreement. It's always been very easy. We basically took a cursory look at
34 every individual. 99.9% were automatically accepted and in Alberta we don't even go to the
35 Board of exams with those. The registrar approves them then they go to the Board for
36 ratification. The Board can always overturn it but we've not had any problems with that.
37 Now we have mobility agreements that are signed by governments that pretty well make
38 reciprocity mandatory for all professions.

39
40 Rearick: Do the different Provinces use the same sort of private licensing board?

41
42 Windsor: Very similar in every province. They are all self governing, we all have an act of
43 the Legislature that empowers, APEGGA in this case, to do all the things that are necessary
44 to regulate the profession of engineering and geosciences. And we do that and we are
45 independent but there is a Minister responsible for our Act. If we want a change to our Act
46 we've got to go to our Minister and get it changed. So the Government is overriding but
47 they're happy to be hands off. We get no funding from Government all of our funding comes
48 from our member fees.

49
50 Baker: You said that everybody including your own engineers take the ethics exam. He
51 asks if it's accepted by all provinces.

52
53 Windsor: Yes, if your license in one province you're automatically.....

54

1 Baker: How do you equate that ethics exam to our PE exam?
2
3 Windsor: Most of them are using our PPE exam anyway.
4
5 Baker: You want us to waive the PE exam, but I'm trying to figure out what the comparison
6 is with you ethics exam. I feel if we have good ethics criteria here in the U.S. and in Alaska
7 but you want us to take that but want us to give up our own exam.
8
9 Windsor: It's law, ethics and business practices but everybody takes the exam, we don't
10 waive it for anyone.
11
12 Farwell: Asks if it they have ever compared the ethics component of the PE exam with their
13 ethics exam.
14
15 Windsor: I don't know if we've done that
16
17 Baker: I'm not willing to give one exam up and still be required to have an exam on the
18 other side. It's got to be quid pro quo.
19
20 Windsor: There is a big difference in your 8 hour PE exam and our 2 hour multiple choice
21 questions. Basically anybody who understands law and ethics and business practices
22 passes.
23
24 Farwell: Anyone who has written the PE exam may have covered the equivalent of our
25 Professional Practice Exam. We need to consider that in setting up an agreement. We
26 need to review it, why ask somebody to write an extra exam, it's the question we are asking
27 Alaska, why ask us to write the FE and the PE coming in because we can prove that our
28 credentials are acceptable. We need to assess if there is some value in writing this exam.
29
30 Windsor: I'm not sure yours covers everything we can look at it. It's a negotiating point.
31
32 Jones: You said in some instances people would be required to take exams. What
33 instances would a U.S. engineer be required to take an exam?
34
35 Windsor: If you're a PE you wouldn't be.
36
37 Jones: So if they had passed both NCEES exams they wouldn't be require to take any
38 other exam except the ethics?
39
40 Windsor: The PPE and we are negotiating on that one.
41
42 Farwell: I'll explain. Usually the applicant has a degree from an international organization.
43 And there's two reasons. One is because of the knowledge base of our Board of Examiners
44 isn't such that we understand what the degree is about so it's called a Confirmatory exam
45 which confirms the person has an engineering background. And that's also when we use
46 the FE because that's an excellent confirmatory exam to show if someone has a true
47 engineering degree. If they can pass that with a decent grade they have an engineering
48 background and were trained at the same level as Canadian and U.S. engineers who are
49 doing the same exam. The other thing we do though is sometimes we go through the
50 curriculum and we can talk about this a bit more when we talk about the specific types of
51 engineering. Because we do evaluate engineers coming in from their degree perspective
52 under their specialty, chemical engineering, mechanical engineering, electrical engineering
53 and their curriculum needs to fit within one of those models that we have from our
54 qualifications board. So we compare the syllabus of someone internationally and if their

1 background was civil engineering, so if they are missing a key piece of structural study that
2 we would expect in Canada we would ask them to go take that course before they could get
3 registered. So this is where we are saying we assign exams whether it's to confirm the
4 degree or whether it's actually to ensure that the degree meets the current specs of the
5 curriculum we would expect.

6
7 Eriksen: Asks if Canada accepts ABET accredited degrees?

8
9 Farwell: Yes and no. Yes in the sense that if it's an ABET accredited University chemical
10 engineering degree it's simple because the curriculum is similar. Where we run into trouble,
11 and this might lead into another discussion, is when you have a degree from a U.S.
12 accredited University that isn't a standard degree. It's one of these funky environmental,
13 computerized something or other degree that we don't have an equivalent in Canada. So
14 we look and we say well we've got half an environmental engineering and half a civil degree
15 and part of an electrical degree. How do we fit you in here? Because you have to take 11
16 exams to fill in your chem. degree you're going to write 9 exams to fill in...so in that case the
17 ABET accreditation doesn't land straight across because for us to be accredited you have a
18 curriculum under one of the recognized types of engineering.

19
20 Eriksen: Adds that we struggle with the same thing here.

21
22 Windsor: Our concern with the ABET degree is that it's designed to meet the needs of
23 industry. Industry wants that person to come out with the tool that industry needs and they
24 don't care about the rest of it. Whereas our degree is a broader degree and ensures that
25 you know something about everything. We've looked at ABET degrees and we've looked at
26 this degree compared to that degree and that one we give about 10% and this one we give
27 100%. It's a huge difference, I mean, you look at the FE exams coming from those
28 Universities, there are Universities that have a 0% pass rate and Universities that have a
29 100% pass rate. So your ABET degree means that you have an education but it doesn't
30 mean it's a uniform one.

31
32 Eriksen: Asks if they have a list of engineering branches they recognize.

33
34 Windsor: Our Board does. They are familiar with most.

35
36 Brownfield: Points out that he's talking about degrees not branches of engineering and
37 NCEES has 18 of them listed and asks if they recognize any of them as a mainstream
38 engineering profession?

39
40 Eriksen: Asks what engineering professions we have in common?

41
42 Windsor: Our board knows that if we see a particular University we need to check.

43
44 Eriksen: Asks about Alaskan Universities.

45
46 Windsor: I don't know specifically but I'm sure they are quite good.

47
48 Jones: You said mobility across Canada with conditions. So there are some Provinces that
49 have extra requirements?

50
51 Windsor: There were some differences and there are still some, in Quebec you have to
52 speak French. We don't get a lot of people moving between Alberta and Quebec. In
53 Quebec all the road signs are in French. (laughter) There are some minor differences.
54 Through the mobility agreement we have basically overcome those and made changes to

1 our Acts and Legislation standardized those pretty well. Now we with government mobility
2 I've almost got to go to court to defend turning down somebody from another Province in
3 Canada. If they've been licensed somewhere else in Canada I'm almost forced to license
4 them.

5
6 Fredeen: Asks if that changes on applicants from outside?

7
8 Windsor: If you get licensed in Albert you can get licensed anywhere in Canada. They
9 would have to show why you shouldn't.

10
11 Eriksen: Asks if you're still registered as you move between Provinces?

12
13 Windsor: We are looking at that now. You've got this mobility then why do I have to be
14 licensed in 8 or 10 provinces? We had looked at it a number of years ago, how to create a
15 National License for those that wanted it. And we can do that, it would still require you to be
16 licensed in every Province. In order to do that internally without that person actually having
17 to go apply 12 times it would cost about 12 to 15 hundred dollars for a license. Whereas our
18 licenses are around the 300 dollar mark in Canada.

19
20 Fredeen: Asks if they have anything similar to the NCEES Model Law?

21
22 Windsor: Now every engineer in Canada is a Model Law engineer. We still take a cursory
23 look at them and sometimes we have to hold our nose and our Board... I have to tell you my
24 first Board meeting was 15 years ago and I said what are these guys all about? These are
25 really tough nuts. And I thought they were really being unfair, they weren't they were being
26 diligent. Now they've really loosened up and I'm amazed. We had a number of cases we
27 put to them and said hey, we wouldn't normally accept these under mobility, now we are
28 supposed to have a look at them. And they agonized over a couple of those for three of four
29 months and then said ok. The bottom line is if that person has been practicing in that
30 Province for 20 years doing whatever is he or she does and hasn't been found guilty of
31 anything and nobody has died is there a real danger of that person coming into Alberta and
32 doing whatever it is that he does? If there's a problem, we're going to get a complaint.

33
34 Eriksen: Asks how their complaint process works.

35
36 Windsor: Anybody can complain, it can be a member of the public, a colleague, it could be
37 a client it could be anyone. It comes into our investigating committee, Investigations
38 Department first of all. The Director of Investigations will look at it, if the department thinks
39 its valid then we take it to the Board. The Board will investigate it more fully and then it'll
40 move on to the discipline committee. Our discipline committee then acts as a jury and the
41 investigative committee is the prosecutor. Both sides can be represented by lawyers. It's a
42 legal process. If that fails it can go to an appeals board and if anybody is not satisfied with
43 that decision they can go to the courts. Everybody has every opportunity to prove their
44 innocence or otherwise.

45
46 Hanson: Asks if they allow individuals to take the FE before graduation.

47
48 Windsor: You have to graduate. We started that a number of years ago just for the benefit
49 of the kids because in this world there is better than a 50% chance you're going to want to
50 practice in the United States. Get it done now then whatever state you want to go to you're
51 on record having passed the FE then you just got to go pass the PE. And it was also for us
52 to compare how our grads were doing compared to your grads. Well now we have so many
53 experienced engineers that want to go to the U.S. we're providing a service. We are
54 proctoring the exam there in Alberta so they don't have to fly down to Montana or

1 somewhere just to write that exam. They can do it in Edmonton or Calgary. Of course now
2 you're going to go to the electronic test system which will be great, they can write it
3 anywhere.

4
5 Farwell: That will be a much higher Canadian uptake because you won't have any travel,
6 we can set it up in our exam center and anyone who wants to take the exam can do it there.
7 Which means nobody has to travel to Edmond or Calgary it can be set up to be done in
8 other sections very easily.

9
10 Baker: Asks if their ethics exam is computer based.

11
12 Farwell: Yes it actually is computer based. How many Provinces take our exam?

13
14 Windsor: I think 11 of the 13.

15
16 Jones: Asks if CEAB accredits geomatics programs also.

17
18 Windsor: We don't deal with surveyors, it's a separate organization.

19
20 Farwell: There is an Alberta Surveyors Association.

21
22 Eriksen: There's no mobility for surveyors?

23
24 Windsor: They are starting to get into it because there's been some other states we've dealt
25 with such as yourselves. Frequently there are more surveyors on the board than engineers.

26
27 Eriksen: Asks how they are going to present this to the public in Canada as a benefit?

28
29 Farwell: The economy shifts around as different projects happen in different places. So
30 let's talk about Albert and Alaska. We have a lot of the same skill sets especially in the
31 engineering functions because we do a lot of the same type of work. As projects take off in
32 Alaska or Alberta we are limited by the number of technical people we have available to do
33 engineering. In 2008 in Alberta we couldn't hire enough engineers in the Province of
34 Alberta. It didn't matter how much you wanted to pay you couldn't hire an engineer because
35 they were too busy and they weren't going to let their other clients down. And because of
36 our ethics and diligence were going to make sure that we had the right number for the right
37 number of projects to make sure they were done correctly. There was a lot of work going
38 offshore. The thing that was really interesting though is that out of all the U.S. States the
39 only one that was picking up a lot of work was Texas. And to some extent that has to do
40 with the mobility agreement that exists and the fact that our consulting firms have branch
41 offices in Texas and a lot of work was being shuffled back and forth to manage the work
42 load. There was huge opportunity throughout the U.S. to absorb this engineering work from
43 Canada but we didn't have the relationships in place and we still needed to be able to
44 authenticate it with the Canadian system and be able to bring it back into Canada or we
45 would need a consultant in Canada overseeing it because we do have a guideline for
46 authenticating work done in other countries but that's extra effort and extra costs being
47 added to the project. So if there were engineers in firms in Alaska and other states with
48 Canadian stamps that work could have gone there very easily. And that wasn't something
49 we were creating, a good relationship with the U.S. with the ability to do when our workload
50 just got too great. So the advantage for all of us is our ability to get the skills we need with
51 the people and be legislated accordingly to do the work.

52
53 Windsor: Today's world is in the age of electronics and work is being sent overseas. We
54 had some mega projects that were designed offshore. The company sent people over there

1 to supervise and make sure it met Canadians standards yet take advantage of the cheap
2 labor in other countries, India and Pakistan particularly. Drafting in particular, no one does it
3 in Canada anymore, can't afford to.

4
5 Farwell: The electronic age being what it is it's not a matter of needing to moving the people
6 around just it's just moving work around.

7
8 Windsor: One of the projects was a 500 million dollar piece of work done in India, done to
9 Canadian standards and brought over in bits and pieces.

10
11 Farwell: They set up office in other countries and had Canadian engineers over there and
12 then we were training engineers over there for APEGGA license for licensees which is a
13 designation you have if you don't actually reside in Canada and those folks are overseeing
14 and authenticating the documents that are coming back and they are of equal quality of
15 anything you would find in the Canadian engineering firm. It's actually a great relationship.

16
17 Windsor: I asked one company one time how do you work when you go down to the
18 States? Well we find a company and we buy it. We should have reciprocal mobility to work
19 with each other.

20
21 Hightower: Asks if the architectural profession is organized the same way as the engineers,
22 separate from government?

23
24 Windsor: Yes, they are, there's an architectural association in Alberta and every other
25 Province.

26
27 Hightower: And they are separate from the government?

28
29 Windsor: Yes they are all like that. Government has taken the view that they don't need to
30 be regulating all these people, they are better able to do it, and they're right. You're all
31 professionals around this table, regulating but you don't enjoy the same freedoms that we
32 do. I'm not being critical of your system, but I'm happier with ours.

33
34 Lent: Mentions, that Alberta just started licensing landscape architects and they are using
35 CLARB's testing and licensing standards so there is more potential for mobility there. He
36 suggests APEGGA might get some help from the CLARB people.

37
38 Windsor: I'm not worried about someone coming in from the United States, I'm more
39 worried about someone coming in from outer Mongolia or some University I've never heard
40 of. We're getting applicants from countries I've never heard of, never mind universities.
41 Those are the ones that keep us awake. 40% of our applicants are from outside of North
42 America. Those are the ones our Board of Examiners spend time on. They don't spend a
43 lot of time on U.S. applicants if it even gets to the Board level. We may approve it at staff
44 level.

45
46 Farwell: It is surprising how few of our foreign applicants are from the U.S. Our systems are
47 so similar and our work is so similar that when we are trying to bring in engineers to
48 supports the projects that are going on in Alberta we are not tapping the U.S. We're not
49 taking advantage of what we've got. The states are not setting things up to allow their
50 people be able to take the Canadian work.

51
52 Eriksen: Asks for them to describe the process and how long it takes for someone to apply
53 and be licensed in Canada.

1 Brownfield: The question would be how long does it take for a Canadian to be licensed
2 verses somebody else?

3
4 Farwell: If I apply with my 4 years experience and my Canadian degree I can have my
5 professional license in about 4 months and maybe as long as 8 months if my references are
6 tardy in getting their responses back.

7
8 Windsor: The references are the key. If someone comes from the U.S.....

9
10 Brownfield: Explains that we have an engineer that has applied in Alberta and he is now
11 ready to take the ethics exam and be licensed but it has taken 2 years. There may be clear
12 examples of why that happened but.....

13
14 Windsor: He had to be short in something. Normally it would be three to four months for a
15 U.S. applicant. It may have been something with the references.

16
17 Farwell: Let's give an example of a foreign applicant with a really good set of paperwork.
18 So when they come in, it's easy to get their transcripts from the University. Sometimes there
19 is a delay because we request the transcript from the University, the applicant can't provide
20 the transcript, that's to make sure they are authenticated. So assuming the University has a
21 good system for that, there are some Universities that don't care about their alumni and
22 getting the transcripts out. So we get the transcripts, the degree is a good match or there's
23 good experience with our Board of Examiners with that University so there's not a lot of
24 assessment required so that could happen within a month if we have an examiner who can
25 say I've had good experience with that University. But that person's experience is also
26 important so they have all the documents of experience on time for their application it will
27 take 4 to 6 months for someone to asses that and their license to be in their hand. So all
28 paperwork in, foreign degree, could be 6 months, say 9 months is actually the target for
29 getting all the letters out to get transcripts and get transcripts back and getting the Board of
30 Examiners to get a look a them. In the U.S., unless you're missing experience or there's
31 something funny in the degree matching the degree's we're looking for in the CEAB
32 curriculum it should be 4 months just like a Canadian application.

33
34 Brownfield: Comments that several of the branches of engineering that NCEES has
35 examinations for are not recognized by Canada.

36
37 Farwell: There are some types of engineering that are not on the list and some that we
38 don't break down that way. Fire protection for example is a discipline that we don't
39 recognize as a specific discipline.

40
41 Brownfield: Asks about nuclear?

42
43 Farwell: APEGGA does not have a nuclear engineering category but we also don't have
44 any nuclear plants in Alberta at the moment. I'm not sure how Ontario deals with that, my
45 degree is from Ontario and no school had a nuclear engineering degree. It would come out
46 of a mechanical engineering discipline or a chemical engineering discipline and you would
47 specialize into that afterwards whether at a masters level or possibly by being hired by
48 Bruce Power and having your experience. And this is one of the things, to practice in
49 Canada, except for some things that have come into BC's legislation. Once you are brought
50 into the profession and you have a license you can be practicing in any type of engineering
51 you have the competence to practice in. So we don't go back and say your degree is
52 chemical engineering but your practice has to be within the genre of chemical engineering.
53 We have chemical engineers that actually practice closer to mechanical engineering,
54 chemical engineers that are practicing closer to electrical, chemical engineers who have

1 moved into the environmental and technically are environmental engineers but their
2 background is chemical engineering. Partly that is because environmental engineering is
3 relatively new. Another one is geotechnical engineering has people in mining engineering,
4 civil engineering and we actually have a geological engineering degree in a couple of
5 schools as well but really that's in the geotechnical end of the business. And our
6 geotechnical engineers come from all three of those disciplines and they're all equally
7 qualified to practice in the geotechnical field. So it's what you're really apprenticed into that
8 defines your practice and that's the model we use, that your ethics and understanding your
9 own competence governs where you practice.

10
11 Eriksen: Asks if, in their application process, they recognize references from the U.S.?
12

13 Farwell: Yes
14

15 Windsor: We encourage foreign applicants from the States to get licensed before they
16 come here and you can be licensed as a foreign licensee and we have 350, I think, foreign
17 licensees. People who come here, work two or three weeks or months and go home again.
18 But, they've actually gotten licensed from their home country. We are actually encouraging
19 them to apply before they come over here and send over transcripts and references to
20 speed up the process.
21

22 Brownfield: Praises Canadian engineers but points out that any agreement we work out
23 with APEGGA will set a precedent for what other countries will expect. Not all countries are
24 equal.
25

26 Windsor: There are huge variations there. Outside of North America it's very difficult except
27 for Australia and France and some of the one's we have agreements with now.
28

29 Farwell: This is one of the things you and you state government needs to weigh. The pro's
30 and con's of setting a precedent and opening the door by setting up a reciprocal agreement
31 with Canada verses what the benefits can be to the State of Alaska and the engineers that
32 are practicing in Alaska and the ability to access work and the ability for Alaska to access
33 talent in Canada to support both economies. There is a trade off there and I completely
34 appreciate that. We are trying to get our heads around it too and we get an itchy back now
35 and then as we go through that process. I think there is a huge advantage to having
36 reciprocal agreements just because we live close together.
37

38 Brownfield: We live closer to you than our sister states, as far as we are concerned you're
39 our sister state. He then draws attention to Dan Walsh and explains that he is taking up the
40 charge as chair of the Mobility Committee.
41

42 Windsor: Invites the Mobility Committee to come down and learn from them at their annual
43 meeting.
44

45 Walsh: We'd love to. We recognize our inability get every where we need to get with our
46 travel budget but it would be a good thing to do.
47

48 Windsor: It's important enough to us we may be able to help you with that.
49

50 Chair: I think we should probably move on to other things. We really appreciate the
51 presentation, Neil, as always it's been very informative. We will do some follow up. He then
52 asks if they could provide us with a sample text of their ethics and business practices exam.
53

54 Farwell: Asks if it would be possible for them to see the ethics portion of the PE exam.

1
2 Walsh: States that it would be a waste of time as he doesn't recall an ethic section.

3
4 Eriksen: There is a business section on there it would be economics.

5
6 Chair: We could provide sample questions that are published by NCEES. Is that what
7 you're asking?

8
9 Farwell: What we want to do is determine that when you're licensed in the State of Alaska
10 what exam's your going through to get the ethics component. Whether it's the PE or
11 whether it's an exam that is resident here. So that if we can see that the same level of
12 ethics have been taught and examined in the State of Alaska then we have no worry. The
13 reason we are asking people to write our PPE is that we don't have anything suggesting that
14 someone coming in has the same level of ethical training we are asking for in the Province
15 of Alberta and so in protecting the public interest we would ask everyone to write that. But
16 out of fairness if we want to be a truly reciprocal agreement if we can look at it in the same
17 way and say well if we waive exams for Canadians because where we sit is equivalent and
18 your ethical component is equivalent to ours it's definitely something we can talk about.

19
20 Chair: Well actually that's the reason I'm asking. We do not have an ethics exam per se. It
21 might be something we would explore. If you could send that to Vern.

22
23 Windsor: Thank you very much.

24
25 Chair: Let's take a break for 10 minutes.

26
27 Break from 9:40 to 9:54

28
29 Chair: We are on the record. The public notice has ended for the regulation changes but
30 we do have one piece of unfinished business under 8N. Would you like to speak to that
31 Harley?

32
33 Hightower: Advises that him and Rearick discussed this last evening and at the next
34 meeting they will present some alternate routes to licensure for architects. They will also
35 review the allegations in the letter in detail and try to reconcile.

36
37 Chair: Sounds good so that's on the to-do-list for you and Richard. He then introduces
38 Kelly Nicoletto of the Fire Marshalls Office who has made himself available to answer any
39 questions the Board has regarding the position of the Fire Marshalls Office on the proposed
40 regulations changes to include FPE as a regulated profession.

41
42 Mr. Nicoletto: Like I said yesterday we are looking forward to FPE being recognized by the
43 State. Our only issue was that it probably should be symbiotic between that and those who
44 are permitted by us for design purposes but at some point there's a cross over between the
45 two. Base on what the current language is in the guidance and in the Statute, one of them
46 defines design and things. There is apprehension that there is an intent that all FPE work
47 will overshadow all NICET design work. Therefore all the designers that have been doing
48 work in the State for a very long time in the absence of FPE's being recognized would have
49 to come underneath the umbrella of some FPE somewhere, would either have to hire one or
50 would have to become one or whatever the case is. That works well in a State that's had
51 FPE's for a long time. I understand that the NICET issues from a technician's standpoint
52 should be umbrella'd underneath that but I don't think that's applicable to our State because
53 of the whole issue of allowing the crossover between mechanical engineers and electrical
54 engineers designing fire and suppression and detection systems. People come to us and if

1 they are, say, a professional engineer and we're not familiar with them we will query what
2 their experience level is in dealing with those systems. We don't take it verbatim necessarily
3 that that person has had experience in designing water main systems and other types of
4 design areas until we're familiar with them. We do the same thing with people who are
5 taking NICET testing. And we don't even require that they be NICET certified. We don't feel
6 that it's our responsibility to tell them that they have to be part of an organization. But they
7 have to test the elements within the NICET testing body and pass those as appropriate and
8 also have years of experience and supervision and other things within our criteria to allow
9 them to have the ability to get a permit from us to be able to design. So we think there is a
10 place for both. We are look forward to the FPE stamp. There are FPE's in the State that
11 essentially are doing stuff under the PE license. Most of those are hired by your North
12 Slope companies, most are coming out of BP and other locations. Other than the only other
13 ones are people that are doing work out of state and then the work is being imported into the
14 State and being over stamped. So there's a place for both I think and there was a product
15 put out between the Society of Fire Protection Engineers the NICSYS organization and
16 NICET organization. I think that was in the documentation that you guys have had. I think
17 that model and the cooperation issue between the three is based on a lower 48 premise.
18 It's not based on what we've had here over the years. And so trying to take that model and
19 trying to apply it here, that is where a lot of the negative impact is coming from for those who
20 are on the NICET side here in the state. That's why I offered to be here, answer your
21 questions, play what if, you know whatever the case is and anything we can do to help this
22 come along so that they both are recognized as appropriate would be beneficial.

23
24 Baker: Points out that FPE's are looking at the total building environment of multi floors.
25 Ventilation systems, how the smoke will travel, how the fire travels, how people react and
26 look at the whole thing. He didn't see the same thing with the NICET and ask how that
27 would work here.

28
29 Nicoletto: If we were to see a set of plans like that and the suppression system or the
30 detection system was done by an appropriate NICET person they would be addressing
31 those as building the shop drawings for that, submitting that to our office for review and we
32 would go through that process. As far as the rest of that, There's no expertise of those guys
33 in that area. That would come from a PE somewhere and the fact that we are not
34 recognizing the FPE, it comes from a regular PE or a combination of different types of PE's.
35 Maybe and ME, an EE, it just kind of depends on the system functionality and complexity.
36 So it really kind of depends and that's where we have to use our judgment when we get
37 plans in and why my comments yesterday kind of tag teaming on some of the things being
38 said was to say whatever you can do to make it easier for us to identify who's got the
39 responsibility for certain elements of that plan is really helpful, otherwise we have to back
40 track and it just slows down the process.

41
42 Hightower: Asks if we do license FPE's and leave exemption 14 alone that would take care
43 of the issue of allowing the design of fire detection and suppression systems?

44
45 Nicoletto: To be quite honest, if you took out the exception, I'd be a screaming maniac.
46 With that being said, I don't know if that's enough. I have pointed that out to those and said
47 the exception's still there. There is nobody trying to take the exception out, it's a Statute, so
48 the Statute overrides Regulation. But what there isn't, is an explanation in your guidance
49 document that establishes, if you look at what design is defined as, what an architect can
50 do, what an engineer can do. It's kind of an overriding large bubble that encompasses a lot
51 of things and there is no crossover, I guess, in that explanation to say well this part is ok for
52 the FPE and this part is ok for NICET. Now depending on who you talk to in that realm, they
53 think that they can do certain things. Well, that's a case by case basis. That's not an overall
54 assumption, some guys, if they're doing more than a sprinkler system, that's enough.

1 There's other guys who can do more but irregardless there's that piece we would really like
2 to keep in.

3
4 Hightower: Maybe expand on it?

5
6 Nicoletto: I don't want to go into the Statute. That becomes politicized to the point of who
7 knows what you're going to come out with. So I would not want to shake that tree. But from
8 the Regulation standpoint is it 012, your regulation, that kind of open's it up and gives you a
9 little more explanation. That probably would be a more appropriate place to make that
10 explanation. You've also got your guidance document that interprets your regulation that
11 gives you more information about what happens. I think that would also an appropriate
12 place to kind of make that delineation that explains, ok we're dealing with a document that
13 one doesn't carry the weight of Regulation and or Statute. Here's an explanation of what
14 we're saying. Ok, I think that little piece of component is what we're missing in this. What
15 would be a feel good part, because that's all it is, because as far as I'm concerned and I've
16 had conversations with Richard that say, I'm comfortable with what it say's because it
17 empowers us with what we've got to do, it hasn't taken anything away. It's a matter of the
18 costumer doesn't recognize that.

19
20 Hightower: Ok, we are working on these exemptions and the Regulations that apply to them
21 and we will coordinate with you.

22
23 Nicoletto: Whatever we can do to help. We are in the process of rewriting our Regulations.
24 Now we are not doing anything in-particular to our, well I'll tell you what, there is a couple of
25 things happening. There is some 20 year equivalency issues that we're going to probably
26 remove. So that people have to go through the testing issue before we will give them a
27 permit. That was based on work we did 10 years ago, it just never got taken out. We're
28 also requiring some additional, recurring training, continuing education hours before they get
29 re-permitted. That is another component that has been missing out of our program. And
30 that will be going to public comment, probably in the next month. Of course we would
31 welcome your weighing in. I don't know if the timing is right but it's an opportunity for both of
32 us to kind of work together to see how this can be done from a timing perspective on
33 Regulations. That's kind of where we are at.

34
35 Baker: Notes that in reading the comments regarding FPE and NICET there was a lot of turf
36 protection. He points out that this issue came up a number of years ago and they think we
37 are trying to get rid of them, but that's not the case. He adds that even though that's not the
38 case they may see some impact on their business as that's the nature of the beast when
39 something changes.

40
41 Nicoletto: Glad you brought that up, that's a question I have and I'll come back to that in a
42 second. We want to put ourselves in a place where we, my organization, are not dictating
43 market forces. That's going to take care of itself. So if I find ourselves moving in that
44 direction from a protectionist standpoint, I'm backing out. So, I'm agreeing with you from
45 that standpoint. There's going to be an effect it's just that their understanding is that the
46 effect is all against them and they are going to get slammed. I'm trying to introduce to them
47 when I talk to them a certain amount of reasonability. Now is that going to protect them?
48 No, overall there is going to be change, I totally agree. And so the question comes back to
49 now I have ME's and EE's that are doing design work for protection systems. How is the
50 FPE presence going to affect those who are currently doing those jobs? Because the
51 crossover right now in those particular fields is fairly open wide. If you were to look at the
52 difference between an architect and an engineer it's fairly narrow. Is this Board going to
53 apply the same level of scrutiny to that crossover between an FPE and an ME as they do
54 between an architect and an engineer? That's just kind of a rhetorical question for you to

1 discuss. I don't know where that line is in the sand.

2
3 Walsh: Ask if he feels that with the present system HSW are adequately protected?

4
5 Nicoletto: I'd have to say yes. These buildings aren't burning down. We don't have failures
6 of systems. We have obsolescence in our systems but that has to do with specs and
7 materials. But are we putting systems that work? Yes, are they being designed
8 appropriately? Yes, are they being done in a timely manner? Yes. Contractually where I
9 see the problem with the FPE is, you want to design this building and you've got a bottom to
10 top atrium and you need a smoke control system. Who you going to go to? You're going to
11 go to an ME in this State to over stamp it or to stamp it, but if you wanted an FPE and
12 you're the builder or your funding requirements say you need an FPE and they want to see
13 these kinds of reports, you can't do it. Not without going outside, getting that expertise then
14 over stamping it as it comes back into the State. That's where I see the problem with not
15 having the FPE. Not doing the day to day work in the State, I don't see that. The complexity
16 of our projects are not that great for the most part. We're not building 100 story sky scrapers
17 and things. Where's the crossover effect? It's the unintentional consequence I'm trying to
18 foresee and kind of cut off at the pass if we can verses later on.

19
20 Fredeen: Asks about the regulation in 13 AAC addressing reports and inspections. He
21 points out that our exemption specifically notes design but the definition of engineering and
22 fire protection engineering is talks about inspections and reports and hazard classifications
23 that that is what is the main concern of the NICET permit holders.

24
25 Nicoletto: Well they can't design their product without understanding those things.

26
27 Fredeen: Agrees and adds that when reading through 13 AAC they didn't see anything that
28 gave them the authority to do those functions and he was wondering if they were looking
29 into modifying 13 AAC.

30
31 Nicoletto: Well we permit inspection, installation, design and maintenance of fire protection
32 systems throughout the whole State. That is part of the different levels of permit that they
33 acquire to perform those things. So all of them have knowledge base, all of them have
34 experience for those particular levels. I haven't had that conversation with anybody from
35 that side. Maybe I'll get something through our open comment that will identify that. But I
36 haven't had any complaints from them saying that we're deficient in our Regulations and this
37 needs to be change to make this effect happen, I haven't seen that yet in our conversations
38 over the last month. We will wait and see what happens. From my understanding, I don't
39 see an issue but then again my perception is probably a little different from theirs and often
40 times we know as a regulatory body you think you've got every area covered as soon as you
41 open it up you get all these inundations on different issues. As of yet I haven't had that
42 conversation with anybody. But I'll keep that in mind as we go into public comment on our
43 Regulations.

44
45 Fredeen: We thought we had everything fixed with the Statute then they start picking a
46 word from this paragraph and one from that one and saying someone could pick it apart.

47
48 Nicoletto: In a nutshell the fear that I kind of saw and this wasn't expressed in words
49 necessarily but it's kind of a feeling I get from them is that an FPE would come in and argue
50 every award by any of the NICET companies and say that's FPE work. And so therefore put
51 every contract into potential litigation and or contesting the award process based on their
52 interpretation of what they see. So they're looking for this out that's going to protect them.
53 And I'm not here to provide that but from their standpoint that's what they're looking at to
54 protect their turf as we talked about before and that's an unrealistic expectation. There's

1 going to be some crossover. At the same time I can tell them and the Board, you can tell
2 them, well this is our interpretation of what's being written. And, of course, the answer back
3 to that is, ok, when you guys leave and other people replace you and it makes sense to
4 them because they interpret it differently. So that's why they are looking for a little bit of
5 clarity either through our part or through your to allow them to operate.

6
7 Fredeen: Asks if their regulation will say FPE?

8
9 Nicoletto: Actually our Regulation won't say that. You guys are the ones who actually say
10 that and we recognize what you produce, so that becomes what we use. The only potential
11 issue that I've done, a kind of work around the lack of an FPE in the past is we are
12 considering when we look at the requirements, especially the design only permit is to add a
13 sentence that if a FPE were to approach us that would be an automatic permit. And I'm
14 thinking more from the out of State perspective applying for one of our permits. I'm not
15 going to look for years of experience or things like that but if they come to me with a
16 California FPE and they want to do design only work. Being that you have not recognized
17 FPE's in this State then I would award that person the appropriate design only permit to do
18 that kind of work, whether it be for suppression or detections systems. But that's just in lieu
19 of this Board not recognizing FPE's. I get those requests on a regular basis but I have
20 nothing in my Regulation that allows me to draw that conclusion across the board. So then
21 they have to give me the resume and everything else with that. So I'm looking for a single
22 certificate to determine what their experience is verses a life history.

23
24 Jones: Asks what different permits they issue.

25
26 Nicoletto: The permits we issue have to do with detection and suppression systems.
27 There's actually three different versions of that. One is special hazards, that would be your
28 halon systems and things like that. The other one is water suppression and detections
29 systems and it's divided into four categories for each one. There's inspection, maintenance,
30 installation and design only. So you can get a 1C which would be an inspection
31 maintenance and that has its own criteria. So a person actually can't get one permit that
32 covers everything. They have to qualify for each individual line item. So if they want to
33 inspect that requires an application for a permit. If they want to be able to maintain, that
34 requires another one. We'll give them a card that actually says they are qualified as 1B, 1C,
35 you know? Each item has its own criteria and we evaluate each one.

36
37 Jones: Asks if he would email that information?

38
39 Nicoletto: Sure, be glad to. Do you have a copy of our regulation on the table at all?

40
41 Fredeen: I've got copies here.

42
43 Shiesl: What are the fees?

44
45 Nicoletto: There are no fees.

46
47 Chair: Any other questions?

48
49 Fredeen: Asks about a paragraph in 035 that says a professional ME or EE registered
50 under AS 08.48 has relevant design experience.

51
52 Nicoletto: We would probably have to change that and put that in line with what you as a
53 Board determine. Because there is no FPE we have to make allowances and we wanted to
54 put that in Regulation. That's where I was talking about, essentially if I get somebody who

1 wants to design and I get a set of plans. My staff recognizes I've never seen that stamp
2 before because we seem to get the same work on a regular basis by the same folks. And
3 we're unfamiliar with them and we'll call them and kind of play 20 questions. There no
4 criteria necessarily it's a conversation, it's a gut feel to see whether or not, I don't want to
5 insult anybody but to see if, they know what they're talking about. Then we'll go forward
6 from there. Often times we ask for a writ of experience and that way we just kind of put that
7 to the side and say ok, if this guy comes in again with another project, he's good to go. And
8 that shouldn't have to happen. That's what the stamp is for, but, you have guys who've
9 been designing X their whole life and for some reason they get an opportunity to design Y
10 and this is their first project and they've been out of school for 20 years and, you know, what
11 do they know about Y? I don't know. And none of us are infallible and it's always give and
12 take even with projects even for long time designers. Because we're not talking designers
13 we're talking the code part and keeping up with that piece in their design area.

14
15 Walsh: Asks if they run into many ethical issues where the PE stamped fire protection plans
16 and they weren't qualified?

17
18 Nicoletto: Let me put it to you this way. Every time we run into a situation where we
19 question whether there's a, we've had cut and paste, things like that. We bring it to the
20 investigator. And we work hand in hand with John Savage. If it's just investigating what
21 their past experience has been we do that. But if something doesn't look right and we are
22 not comfortable with it the we actually use your folks to determine that and then the
23 appropriate actions can be taken.

24
25 Baker: Revisits the statement by Mr. Nicoletto that work goes outside the State for an FPE
26 stamp and then is brought back in and over stamped by a local ME or EE and asks if that
27 practice isn't unethical and against regulation.

28
29 Nicoletto: I'm just going to throw that back at you guys. (laughter) I don't mean to do that
30 but my point is you can't get it done in the State. So somebody does get it, and I think the
31 documentation that you have received from various FPE's outside of the State who are
32 advocating for this make the same argument. They go to them and they have to work with
33 somebody else and pay probably a fee and the process to evaluate that design and it gets
34 stamped. I'm not saying it's right, wrong or indifferent, it's a work-around. That's what this
35 would correct from happening. So that's why I'm in favor of FPE's because it makes life
36 much simpler from that standpoint. I think it would be just in general as far as a career is
37 concerned.

38
39 Fredeen: Asks if we can work with his office in maybe working on our regulations to better
40 define what each can do without touching the Statute.

41
42 Nicoletto: Actually I think there has already been a couple, if you look at the comments
43 submitted by industry, suggestions of language to deal with the 12 AAC regulations. That
44 would be a good starting point. I read it briefly and I looked at it and it seemed rather non-
45 evasive. It was short, it was a simple statement. It has a couple elements in there that you
46 guys are going to have to talk about based on things like risk analysis. That in itself on a
47 simple side is not a problem. That in itself, like we talked earlier with a larger building that is
48 a problem. So how do you cut the baby in half? Those kinds of issues are going to have to
49 be a point of discussion. We will be more than happy to talk to you guys about that.
50 Whatever we can do to help to kind of take our program and make it work with your program
51 so that both sides come out as winners as far as I'm concerned and then let the market
52 forces do what market forces do. It is what it is and I'm all for it. My staff is available to you
53 and I know Carol works with you guys on a regular basis and so I would give my staff to you
54 to be able to work those issues out.

1
2 Chair: Thank you Kelly, are there any other questions? The Chair then asks if the Board
3 could assign one person to work with him especially on the Guidance Manual to work out
4 the details on 12 AAC and 13 AAC and asks for volunteers.

5
6 Fredeen: Volunteers.

7
8 Nicoletto: A single point of contact between us and you would be great.

9
10 Chair: Asks if he sees any problems with the regulations that we are proposing that need
11 amending?

12
13 Nicoletto: I'm hesitant to answer the question only from the standpoint of, I have no problem
14 with the Statute. I'm unsure about the Regulation part on a word to word standpoint, the
15 guidance, yes, on point with making those particular changes. I just am not sure on your
16 Regulation proposal word for word. I guess it would be a timing issue between the guidance
17 being developed and the Regulation being published and it's effective date. If we can make
18 sure that the guidance is done prior to the effective date of the Regulation so it all works
19 together I think I'd be ok. Otherwise I think you're missing a component and that's where we
20 would get some backlash.

21
22 Chair: States that he can't guarantee that the Regulation won't get adopted before the
23 Guidance Manual. The assures Mr. Nicoletto that we will have a new addition ready for the
24 May meeting and that we had delayed that in anticipation of these new Regulations. He
25 further advises that since the Regulations have to be reviewed by Law first that we may
26 have the Guidance Manual ready before the Regulations are signed by the Lt Gov.

27
28 Nicoletto: We will put something in draft ready to fire off prior to the effective dates.

29
30 Chair: Asks if his preference was for the engineering branch to be left on the stamp and
31 asks if he has any problem with any of the other branches?

32
33 Nicoletto: Responds yes to the branches on the stamp and no objections to other branches.

34
35 Lent: Advises that the Guidance Manual needs to match the Regulations.

36
37 Chair: States that Craig and the Fire Marshalls Office will be getting together and will
38 provide him with the info. But to go ahead with a new Guidance Manual even if the
39 Regulations are not adopted yet. He puts a 30 day deadline for Craig to provide info to Bert.
40 He then thanks Mr. Nicoletto for taking the time to answer questions from the Board.

41
42 **Agenda item 10 – Regulation Update**

- 43
44 a. Regulations out for public notice ending 3/7/2011
45 1. 12 AAC 36.064/12 AAC 36.065 Eligibility for Surveyor Exams.

46
47 Chair: Still out for public notice, no need to discuss.

- 48 b. Regulations out for public notice extended until 2/3/2011.

- 49
50 1. 12 AAC 36.015 Branches of Professional Engineering
51 2. 12 AAC 36.061 Architect Education Standard
52 3. 12 AAC 36.180 Seals
53 4. 12 AAC 36.185 Use of Seals
54 5. 12 AAC 36.400 – 450 CE for Surveyors

- 1 6. 12 AAC 36.500 – 550 CE for Architects, Engineers, Land Surveyors and
2 Landscape Architects
3 7. 12 AAC 36.990 Definitions
4

5 Chair: They then go through all the written comments one at a time.David Stierwalt
6 November 8th.
7

8 Walsh: Ask a question regarding the bold face and underlined additions since all the new
9 material didn't appear to be bold and underlined.
10

11 Jones: Asks if they want him to bring Jun in to explain?
12

13 Chair: Wants to go through the comments first.
14

15 Jones: Where the new material is not bold and underlined it's a complete new paragraph.
16 Where it's bold and underlined it's a change in an existing paragraph.
17

18 Jones goes to ask Jun Maiquis to join the meeting for a few minutes.
19

20 Chair: States that he wants to go through them one at a time because he feels it's important
21 to let people know that we have looked at these and he doesn't know of a better way to do
22 that. He asks if anyone has any comments on Mr. Stierwalt's comments.
23

24 Lent: Draws attention to the last line of 12 AAC 36.185 and says that specifications are not
25 normally signed and sealed.
26

27 Chair: We will interrupt the comments. He introduces Jun Maiquis. Jun, Dan Walsh has a
28 question about the Regulations.
29

30 Walsh: Asks if the way the regulations are presented is the standard way to do it.
31

32 Maiquis: Explains that in an existing section new material is bold and underlined and that
33 complete new paragraphs are not.
34

35 Walsh: Thought that the new paragraphs should have been bold and not underlined just to
36 show that they were new material.
37

38 Maiquis: Explains that, that's just the way it is done.
39

40 Baker: Adds that he feels the same as Dan but after reading most of the written comments
41 it is apparent that the public understood what was new.
42

43 Chair: Asks if the Board adopts the regulations if they will go back to the AAG?
44

45 Maiquis: Yes, you can adopt as is or you can amend then adopt as long as your
46 amendments are within the scope of the notice.
47

48 Chair: Asks who makes the decision that an amendment is outside the scope of the notice
49 and needs to be re-public noticed?
50

51 Maiquis: That would be up to the Board. If you feel that the public or the licensees need to
52 see the changes. As long as it's in the cover saying that it's dealing with the branches of
53 professional engineering. That's still covered within the notice but if you want to adopt
54 something outside the subject of the notice you would want to do a supplemental notice.

1 After you adopt these they go to the AAG for review, I think Gayle Horetski is assigned to
2 these. If she finds these technical changes minor it doesn't need to go back to you it just
3 goes to the regulations section for file and review then to the Lt Governors Office. But if
4 Gayle finds legal issues or it needs to go back to you for re-adoption she'll notify me or Vern.
5
6 Brownfield: Notes that on page two of the notice it has a very good statement of what
7 options the Board has.
8
9 Maiquis: Yes and it says that the language of the final regulations might not be the same as
10 was noticed so you are covered on that.
11
12 Chair: Thanks Jun and asks if he will be available the rest of the day?
13
14 Maiquis: Yes I'll be here until 4pm. You can also table any sections of these that you want
15 and adopt the rest if some need further review or discussion.
16
17 Baker: Asks if we want to hold say 6 of the branches for further discussion can we adopt 10
18 and then add the other six later without going back to public notice?
19
20 Maiquis: Yes.
21
22 Chair: We were talking about David Stierwalt and you had a question Bert?
23
24 Lent: Talks about specifications and how some may need stamping and recommends
25 instead of saying specification don't need to be signed, say standalone specifications – a
26 signed and dated seal must on the front page.
27
28 Chair: Asks that Bert bring the issue up in an amendment form when we get to the
29 discussion of the regulation that Mr. Stierwalt is commenting on.
30
31 Baker: Points out that Mr. Stierwalt is against removing the branch of engineering from the
32 stamp and that there were quite a few other comments against that, the Fire Marshall is
33 against that and that he would like to support that view also.
34
35 Chair: Any other comments? The next email is from David Moore November 9th, are there
36 any comments?
37
38 Baker: Doesn't see how we can license all branches of engineering except architectural
39 engineering and suggests changing architectural engineering to engineering of architecture.
40
41 Rearick: Points out that Pennsylvania licenses all branches of engineering except
42 architectural engineering so he believes that that is an option.
43
44 Brownfield: Disagrees with Mr Moore's comments saying that architectural has been
45 recognized for many years and NCEES does have an architectural engineering
46 examination.
47
48 Chair: Next on is from Stephen Paliwoda November 9th, any comments on that? Next one
49 is John Crittenden November 9th, any comments? Larz Hitchcock, November 10th any
50 comment?
51
52 Hanson: That's just a duplicate of a previous comment with a different name on it. There
53 are several of those in here.
54

1 Walsh: States that last night he went through and divided the comments up into groups and
2 that there are a lot of comments from architects that are very similar. He doesn't have a
3 comment on either of these but notes that there are at least 10 comments from architects
4 that object to adding architectural engineering as a branch we regulate.
5
6 There was a short discussion on whether or not there were any engineers in Alaska that had
7 architectural engineering backgrounds.
8
9 Rearick: Advises that there are several engineers in Alaska that have architectural
10 engineering degrees but are licensed as civil engineers and doing structural engineering.
11
12 Brownfield: Adds that he also, after reading all the comments and hearing the oral
13 testimony, whether there is a need for an architectural engineer license in Alaska.
14
15 Chair: Steven Erskine November 10th, any comment?
16
17 Walsh: There are at least 10 of those?
18
19 Brownfield: If there is one issue that comes up throughout the packet it's keep the
20 designation on the stamp.
21
22 Chair: Garth Howlett November 12th, any comments?
23
24 Hanson: Thinks he raises a good point on the enforcement side of things. Incidental
25 practice could come into play.
26
27 Chair: Do you want to read that into the record?
28
29 Hanson: Reads the third paragraph – Under the proposed definitions it appears that I would
30 be working under: Marine Engineering, Structural Engineering, Civil Engineering, Industrial
31 Engineering, he names a few more. On some designs I could be performing 4 different sub
32 disciplines on the same drawing. Does that mean I would have to use 4 different stamps on
33 the same drawing? I don't speak for the Board but I don't think that's our intent. It is
34 something we are going to have to address. We haven't discussed the implementation of
35 these two letter designators and how they are going to be used.
36
37 Baker: Reads the last two sentences of the next paragraph and points out that he is saying
38 we don't have to license petroleum engineers.
39
40 Lent: Doesn't believe multiple stamps should be necessary.
41
42 Chair: Kevin Hansen November 16th, his synopsis seems to be that he thinks we should
43 keep the 2 letter designation. Any other comments? Kenton Braun.
44
45 Baker: This is the one I mentioned yesterday that has a PEng and might be willing to help
46 us with dealing with Canada.
47
48 Chair: Any other comments? Stafford Glashan December 2nd.
49
50 Hanson: Implementation comments.
51
52 Fredeen: He brings up a good question about continuing education. We have civil
53 engineers that have dual licenses with surveying.
54

1 Hanson: It's pretty clear what happens with dual licenses.
2
3 Chair: Any other comments? Pisonth Keyuravong, any comments? James Crewdson any
4 comments?
5
6 Lent: Points out that we changed the Guidance Manual we changed "wet signature" to
7 "hand signature".
8
9 Chair: Any other comments? Todd Carroll he deals with the 2 letter designation any
10 comments on that? Brian Meissner, any comments? Peter Giessel December 20th. No
11 comments?
12
13 Walsh: Thinks he emphasizes what Kelly was saying about having back up on the Boards
14 intentions on some of these issues.
15
16 Chair: Joseph Taylor January 6th. Jean Funatake, any comments? Crystal Koeneman, any
17 comments, that's January 20th.
18
19 Several members voice that Mark Morris January 10th was next.
20
21 Chair: Any comments on Mark's? I lost Mark's, any comments with Mark's? Any
22 comments on David Porter? Any comments on Marina Komkov?
23
24 Hanson: A copy of the previous one.
25
26 Jones: We get work verifications like this once in a while where the applicant sends copies
27 to all his references and they just sign the bottom.
28
29 Chair: Any comments on Marina Komkov? The next letter is from Roger Healy.
30
31 Eriksen: He's recommending a space for the date in the seal.
32
33 Chair: Any questions about Crystal Koeneman? Remember to bring up that thing about the
34 seal when we're looking at the regulation. No comments on Crystal's, go to the next one.
35 Brian Meissner
36
37 Baker: Points out that Crystal Koeneman had ask what had changed since this was brought
38 up in 2005-06. The issue in 2005-06 wasn't anything to do with bringing FPE in verses the
39 NCIET. The issue then was a conflict between regulations and we needed to get the
40 regulations to agree between our regulation and 13 so we are not revisiting the same issue
41 and they are trying to bring it up as though we are.
42
43 Chair: Brian Meissner any comments? Nick Bakic any comments? I will make a comment
44 on this one. He reads a portion of the third paragraph where Mr. Bakic names a number of
45 things that the NICET exams cover and names land surveying as one of them. I thought
46 that was unusual. Paul Witt, is that the next one? He notes that Mr. Witt brings up a three
47 letter designation CE-S for structural. My first thought is that it sounds pretty good and for
48 the more focused structural you would go to SE.
49
50 Hightower: Then he says he doesn't see any reason to show any other designations, I don't
51 get that.
52
53 Walsh: Comments that he would rather just leave it at civil engineer rather than break it
54 down further with a three letter designation.

1
2 Brownfield: We will not do the disciplines only the branches.
3
4 Chair: The next one is Catherine Fritz that's new. There are a lot more Nick Bakic that is a
5 chain email. Any comments on Catherine. The next one is another Nick, a chain email.
6 The next one is a nick too, actually from Craig Fredeen that is turned in for the record.
7
8 Walsh: Is this what you were talking about with Kelly about wordsmithing? Is that what Nick
9 is trying to bring up here?
10
11 Fredeen: Right! This was trying to reiterate the exemption.
12
13 Chair: Willy Van Hemert any comments? Next one is Alan Rogers.
14
15 Brownfield: Notes that Mr. Hemert questions the need to license agriculture, industrial,
16 metallurgical, naval architecture etc. and points out that there is quite a bit of agriculture in
17 the rail belt. He adds that Mr. Hemert questions industrial engineering and that he hopes
18 that in the next 10 – 15 years we develop our natural resources instead of continuing to do
19 what we have done for the last 10 years. I've read that several times and my conclusion is
20 they are not looking ahead, they are looking behind.
21
22 Lent: Supports Bo's view and adds a lot is happening in the field of agriculture.
23
24 Eriksen: Also supports Bo's view.
25
26 Brownfield: Points out that many don't know this but we had nuclear reactor's up in the
27 Delta area sometime ago. He adds that the nation is striving to find good clean power.
28 Nuclear power is the cleanest there is. The only thing is if you have a problem, there are no
29 little problems with nuclear.
30
31 Chair: That's why you need a nuclear engineer, so you don't have those problems.
32
33 Brownfield: Continues, so if you look into the future we are looking out for the HSW of
34 Alaskans.
35
36 Baker: Notes that after Chernobyl they found particles in Caribou here in Alaska so it is a
37 big issue.
38
39 Chair: Any other comments? Alan Rogers.
40
41 Hanson: He made a good point at the end about how arctic engineering apply to these new
42 branches. He didn't elaborate but it is another thing we need to consider. How arctic
43 engineering plays into each branch.
44
45 Chair: In my opinion it does.
46
47 Fredeen: Asks if Brian is referring to how and if the education system is going to have to
48 expand to include the new branches.
49
50 Hanson: Yes the expansion of the actual course.
51
52 Chair: Any other comments? John McCool, comments? Wayne Jensen. Wayne is a
53 former board member.
54

1 Fredeen: Points out that Mr McCool questions whether or not the architectural engineer
2 would have enough knowledge in each field to accomplish the task and adds that that's the
3 flavor of the engineer's objection to that license. He questions the education and testing of
4 someone who is doing four branches of engineering.

5
6 Walsh: Thinks that it's the ethics issue again. If we are going down this path you're going to
7 have to trust the engineer, it's innocent until proven guilty. I have the same dilemma in my
8 own field. I would never practice on the extraction side but I practice on the processing side.

9
10 Eriksen: That's true with all the branches. We learn to apply science to our different
11 branches. Whether it includes a little mechanical or electrical I don't know if I agree. I think
12 that's what they're trained to do.

13
14 Rearick: Understands from the Penn state info that they study engineering courses and
15 then branch out into a discipline either structural, mechanical, electrical or construction. He
16 doesn't understand why if they are going to practice in one discipline they don't just take the
17 exam for that discipline. He questions if they would have enough education in one specific
18 field if they didn't study that. Then for continuing education are they going to have to do CE
19 for all those different branches or the one they specialize in?

20
21 Fredeen: Reminds the Board that yesterday they disciplined an architect that stamped all
22 the different branches and now with this license we would say go for it.

23
24 Brownfield: Feels that the potential for someone to practice out of their branch is there now
25 and that it isn't going to be any more of a problem than it is now.

26
27 Baker: In relation to Richard's statement that he has all these different disciplines, our
28 regulations require that the degree be in the same branch as the exam that is requested or
29 additional experience is required.

30
31 Fredeen: Disagrees with Bo's statement and reiterates that it has never been legal for
32 someone to stamp multiple sheets unless they were licensed in each discipline. This is a
33 much bigger circle than what we see today.

34
35 Eriksen: Asks if he feels the same way regarding the FPE?

36
37 Hanson: Points out that working out implementation is important and asks if we are going to
38 allow mechanical and electrical engineers that have the education and experience and have
39 been doing fire protection grandfather into the FPE branch without taking the FPE exam.
40 He feels the intent is to allow grandfathering but at what level do we stop? Under the new
41 system that architectural engineer that has stamped all those over the years should be
42 allowed by virtue of their education and experience be able to get structural, mechanical,
43 electrical etc. obviously we would have to review their experience but I don't think it would
44 limit them to just one if they've been practicing in other states.

45
46 Fredeen: Are you saying they should be able to get all the stamps or sit for all the exams?

47
48 Hanson: Either way. It's part of the implementation. Are we going to allow mechanical
49 engineers to get a fire protection stamp just because they've done it? If we are going to do
50 it for mechanical's then we should do it for architectural that have done it for 20 years. If
51 they apply for 4 different stamps or branch designations then it should be granted. We have
52 to apply a similar standard.

53
54 Rearick: Thinks they are talking about two different topics. One is the grandfathering and

1 one is comparing the FPE to the architectural engineer. With one they can do anything and
2 with the FPE they are doing a specific thing. Whether the mechanical or electrical can
3 grandfather in is another issue but the architectural engineer is a very broad branch.
4

5 Chair: Any other comments, questions? The next one is from Jun and I've highlighted "Any
6 dialog regarding the proposed regulations must be done in an open scheduled board
7 meeting". Again it's a string of emails. Any other comments on any of those Nick's.
8

9 Hanson: Are we on Mr. Nardini? I believe that's item 8n.
10

11 Chair: 8n has been referred to an ad hoc committee, Harley and Richard to address by our
12 next meeting. John Crittenden is next, any questions or comments? Greg Frosberg, any
13 comments? Terry Hyer, any comments? Just for the record it appears that a lot of these
14 are addressing the same issues. Craig Bledsoe, safety engineer, any comments. He's
15 requesting that we license safety engineers. My observation is that the cost for the
16 examination would be prohibitive for the State of Alaska to venture into.
17

18 Eriksen: Points out Mr. Bledsoe's statement that NCEES doesn't have a test because the
19 Board of Certified Safety Professionals (BCSP) has accomplished this for decades with their
20 Certified Safety Professional (CSP) examination.
21

22 Brownfield: Advises that when this project started the decision was made to limit branches
23 to those examined by NCEES because of the cost creating an exam.
24

25 Eriksen: reiterates the point that there may never be an NCEES exam for safety engineer
26 because it is being done by another organization.
27

28 Brownfield: It may be that someday we may recognize that but this time we confined it to
29 NCEES.
30

31 Chair: Dean Guaneli. This is from an attorney. Did Gayle respond to this?
32

33 Jones: She won't until we adopt these and she reviews them.
34

35 Chair: So it will be dealt with by our legal? If it comes up the one observation I had on page
36 2 of 4 was that he was picking and choosing words and trying to build an argument with that
37 and I took exception to that. That's just my lay-persons observation. Then an email from
38 Gayle regarding, is this 8n again Harley?
39

40 Hightower: Yes, 8n again, we've got plenty of those.
41

42 Jones: She responded to this because he copied the AG.
43

44 Hanson: She didn't respond, she forwarded it to us, just to clarify that.
45

46 Chair: Ok, we have directed our ad hoc committee to look at it. Catherine Call, comments?
47 Next is actually a letter from the Engineering Program Manager, Chris Jelenewicz, just a
48 note that I saw was a statement from Deborah Boice the President of the Society of Fire
49 Protection Engineers that fire protection engineering is recognized in 48 states, the District
50 of Columbia and Guam. Any other comments, questions? Terry Hyer any comments or
51 questions?
52

53 Fredeen: This just brings up kind of what we discussed before regarding a strip mall and I
54 think that's a very realistic situation.

1
2 Chair: Next one is USKH Timothy Vig and Lance Mearig. Lance was on the Board and they
3 support these regulation changes. Peter Maus, any comments? Nick Bakic January 28th it's
4 a duplication.
5
6 Jones: He retransmitted all those emails from before to Jun so these are all repeats
7
8 Chair: Are there any comments on any of those? January 28th Jared Keyser,
9
10 Fredeen: Asks if this is the SEAAK response? I think we want to know what the surveyors
11 think about the licenses. (can't find the page he is looking for)
12
13 Chair: Do you want to come back to that one?
14
15 Fredeen: We guess can discuss this later on. It is interesting to note that they are
16 proposing that the structural exam, that we revise our tables so that exam can only be taken
17 after you've passed the civil exam or architectural engineer exam and had your PE for two
18 years. I'm pretty sure, I know I looked in Model Law regarding the SE exam, and I may be
19 wrong but when I read through it I didn't see any requirement from NCEES to have that after
20 another PE license. They are referring that that is the practice of some western states but
21 that is not, to my knowledge, what NCEES requires.
22
23 Rearick: Points out that he believes Jared is looking at scenarios for initial licensure. He is
24 setting up the scenarios and what their opinion is about those scenarios. We'll need to
25 study this pretty closely, I think.
26
27 Chair: The next one is mark Frischkorn.
28
29 Fredeen: Mark brings up the item that Kelly noted earlier regarding overlap. We might want
30 to make sure that those that are currently doing the work are not kept from doing it in the
31 future.
32
33 Chair: Catherine Call, this is another letter from her.
34
35 Rearick: This is actually from AIA which is signed by her and Janet Matheson.
36
37 Chair: And it references a poll, is that right?
38
39 Rearick: Yes, which is attached.
40
41 Hanson: It kind of backs up her testimony from yesterday.
42
43 Chair: Catherine was here yesterday?
44
45 Hanson: No but Janet was.
46
47 Chair: Any other comments. It's duly noted that 95% of the respondents oppose the
48 omission of the specific engineering identifier on the seal and 95% of respondents oppose
49 the addition of architectural engineering as a branch. The next one is Daphne Brown,
50
51 Hightower: Daphne is a former Board Member also.
52
53 Chair: Questions, comments? Next one is Colin Maynard.
54

1 Hanson: It's actually APDC.
2
3 Chair: That probably should be set aside too. Bert?
4
5 Lent: This would have an impact on the Manual. No software available to automatically
6 remove. See that there?
7
8 Fredeen: It is available, the Navy has had it for several years, it's just that most companies
9 just don't use it. That language is actually language that has been used in several other
10 states regarding electronic signatures. I recommend that we leave it in there until we get
11 better technology. And digitally now with .pdf's you can digitally sign something and once
12 you modify it that signature gets a question mark next to it. There are programs out there so
13 I recommend we leave it in there.
14
15 Chair: Any other comments? Billy Brookins, any comments? Jeanne Vogelzang, She's
16 transmitting a letter from the chair of Ronald O. Hamburger, Structural Engineering
17 Certification Board. Comments? Next is Andy Bigalke, any comment, David McDowell any
18 questions?
19
20 Fredeen: First comment we've had regarding environmental.
21
22 Lent: Asks if environmental is now on the list?
23
24 Chair: it's proposed.
25
26 Lent: I've heard strong resistance to that from the engineering community.
27
28 Chair: There is none of written record that I've seen until just now.
29
30 Lent: It's been verbal.
31
32 Chair: That doesn't count. The next one is Mark Lockwood, any questions?
33
34 Baker: Notes that he mentions that this could affect the livelihood of geologists and that we
35 don't regulate geologists so he doesn't feel we can consider this.
36
37 Brownfield: They're here and they can work.
38
39 Walsh: If the public's HSW is already being protected in the state I think you would have to
40 take into account other issues such as people's livelihood. If there isn't an argument for
41 bringing environmental engineers to further protect or correct a problem with HSW it seem
42 reasonable to me to consider other issues.
43
44 Baker: My issue with geologists is if they can come in here and do things that are strictly
45 geology things and not do environmental where they have to sign off on it. If they sign off on
46 it they are doing civil engineering and need to be licensed to do it. I don't feel that what they
47 are doing is protecting the HSW because they are not under a regulatory board.
48
49 Walsh: Argues that they may be qualified under other standards similar to what Kelly was
50 talking about that make them qualified to do such things as site evaluation for contaminants,
51 site evaluation for hydrology so it sounded like there is another avenue that I'm not familiar
52 with.
53
54 Brownfield: Thinks that nobody would deny they have the qualifications to do that but they

1 are not registered with a stamp that says they are accepted. Maybe someday it'll be that
2 way. They can work but they must work under an engineer that has the expertise if there's
3 going to be a stamp required. Then gives an example of a question about whether a seal
4 was required on a report on contaminated soil and that he can't think of a more realistic
5 situation where you would want a registered environmental engineer or the equivalent who
6 has the authority to stamp it. Because that clearly is a matter of the HSW of the people. We
7 get contaminated soil which can contaminate water sources and everything else all the time
8 in Alaska. DOT, I don't know how many gas stations we have to clear away or get into
9 because they are in the right of way of a highway and I can guarantee you that 90% of the
10 time we hit contaminated soil when we dig and we stop right there. That's where we need
11 someone with a professional level understanding and a stamp.

12
13 Baker: Points out that on the back side of his comment he has the Alaska Regulations but
14 there is nothing that is saying he is being regulated by the state he just has a certification
15 and that he is uncomfortable with this.

16
17 Walsh: Can't find the Shannon and Wilson letter but thinks it addresses this.

18
19 Chair: Interrupts and ask who has flights and what time as this is a big issue and we need
20 to give it due diligence, also, it is lunch time and he thinks it important that we continue to
21 work through the comments. He asks if they want to break for lunch or finish the comments.
22 Are there any other comments on Mark Lockwood?

23
24 Hanson: Recommends we flag this one also and maybe do some research.

25
26 Chair: Along with David McDowell's. I Propose we look real hard at these issues and we'll
27 multi-task. He asks the director if he has anything he wanted to say.

28
29 Habeger: Was here waiting for the discussion on travel.

30
31 Chair: We'll multi task while the applications are being read into the record and assign folks
32 to each one of these and discuss after reading the applications into the record and come to
33 some kind of a consensus.

34
35 Walsh: Thinks with that approach we might miss something else we want to follow up on.

36
37 Chair: Explains what he meant by multi tasking was doing this while the applicants are read
38 into the record.

39
40 Walsh: I don't multi task like that very well.

41
42 Brownfield: Asks if we are writing letters back to these folks?

43
44 Chair: No, I'm just saying come back to the Board with some observations and maybe some
45 direction.

46
47 Fredeen: Suggests that if they go through more discussions on this after lunch and there
48 are going to be changes via motions that the motions be written out in advance.

49
50 Jones: Asks if they are flagging all the ones with the geology questions and notes that there
51 is another one from Christopher Darrah.

52
53 Chair: The next one will be from Kenneth Maynard. He opposes the double letter
54 designation being dropped and opposes architectural engineering as a branch. Are there

1 any questions?
2
3 Rearick: Ken is a former Board Member.
4
5 Chair: Any questions or comments? (several members can't find the comment) It was one
6 of the last ones handed out. I put the handouts in date order. The next one is Mike Holtz,
7 am I going out of order?
8
9 A few minutes of confusion while everyone tries to get their paperwork in order.
10
11 Chair: Does everyone have Mike Holtz, questions or comments? Elmer Marx, he opposes
12 having the two letter designation on the stamp, any questions or comments? Bart
13 Meinhardt, any questions, comments? Next is Gary Brown, lets tag that and set it aside.
14 Michael Dean, he in particular is proposing a CS designation which might be something you
15 can consider for grandfathering. George Imbsen, he is opposed, he may have sent a letter
16 earlier. Any comments, questions? That's it.
17
18 Chair: Any questions or comments on Peter Giessel? Greg Latreille.
19
20 Hanson: His response is from the Alaska Society of Professional Engineers.
21
22 Chair: Comments?
23
24 Walsh: I think we should set that one aside.
25
26 Chair: Ok, is that the last one?
27
28 Shiesl: how about Christopher Derrah.
29
30 Chair: Any comments on Christopher Derrah?
31
32 Shiesl: The last one is Evelyn Rousso.
33
34 Hanson: Did we do Richard Pratt?
35
36 Chair: Any questions or comments on Richard Pratt? Any Others? Break for lunch and be
37 back in 45 minutes.
38
39 Lunch 12:17 – 1:00
40
41 Walsh: Suggests that with all the opposition to removing the discipline from the stamp
42 maybe we should forget about General Licensure and decide which additional branches of
43 engineering we want to bring in.
44
45 Hanson: Thinks we need to talk about the implementation process and the two letter
46 designations.
47
48 Baker: Is writing a motion to address grandfathering. Those that have been practicing a
49 sub-discipline under civil, electrical or mechanical would be able to continue to do so. But, if
50 someone, say, a civil practicing structural wanted a structural license he would have to apply
51 to the Board and provide evidence of experience and he could get the license without
52 having to take the exam.
53
54 Brownfield: States that as he sees it, if they have been doing structural as a civil engineer

1 and want to continuing to do structural as a civil engineer they may but if they want to get a
2 structural license they need to show the three legged stool, education, experience and take
3 the structural examination.

4
5 Eriksen: Agrees that people should be able to continue to do what they have been doing.

6
7 Hanson: Thinks that we will have to talk about grandfathering but that it is outside what was
8 public noticed and that the Board should be discussing what was public noticed and how to
9 move forward.

10
11 Baker: Doesn't agree that grandfathering is outside what was public noticed. He notes that
12 we have required structural engineers to be licensed as civil engineers and he believes that
13 if they have been doing this for years and can show experience and structures that they
14 have designed then they should not be required to take another exam.

15
16 Eriksen: Asks the procedure to change what was public noticed, if they have to make
17 motions? He suggest we make a list of motions and then discuss.

18
19 Brownfield: Suggests that since we have several changes in addition to the General
20 Licensure and we make a motion to accept all of them and then discuss them individually.

21
22 Jones: Asks the Board to make a motion for each individual regulation change and then
23 discuss, make any amendments, adopt then move on to the next one.

24
25 Eriksen: Once we make the motion and discuss how long does that go on? More than one
26 meeting?

27
28 Chair: It depends.

29
30 Jones: The motion will be to adopt it as is. Then you are going to either, adopt it, amend it
31 and adopt it or table it. And you can table portions of each one.

32
33 Eriksen: Plans to recuse from the vote but would like to participate in the discussion.

34
35 Chair: Absolutely.

36
37 Shiesl: Proposes that the applicant be read into the record before this discussion starts.

38
39 Chair: Asks Baker to read the motions.

40
41 **On a motion duly made by Baker seconded by Fredeen it was**

42
43 **RESOLVED to approve the following list of applicants for registration by comity and**
44 **examination with the stipulation that the information in the applicant's files will take**
45 **precedence over the information in the minutes:**

46
47 *The subsequent terms and abbreviations will be understood to signify the following*
48 *meanings:*

49 'FE': refers to the NCEES Fundamentals of Engineering Examination

50 'PE exam': refers to the NCEES Practices and Principles of Engineering Examination

51 'AKLS' refers to the Alaska Land Surveyors Examination

1 The title of 'Professional' is understood to precede the designation of engineer,
 2 surveyor, or architect.

3 JQ refers to the Jurisprudence Questionnaire.

4 'Arctic course' denotes a Board-approved arctic engineering course

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|---------------------------|-------------------|--------|--|
| Westerhout, Brian B. | Architect | Comity | Approved - conditional upon JQ |
| LaBenz, Robert Scott | Architect | Comity | Approved - conditional upon JQ |
| Brown, David Todd | Chemical Engineer | Comity | Approved |
| Bresko, Adam Blaze | Civil Engineer | Comity | Approved |
| Greenwood, Jedediah Drury | Civil Engineer | Comity | Approved |
| Miller, Raymond Scott | Civil Engineer | Comity | Approved |
| Pritchett, Jeffrey M. | Civil Engineer | Comity | Approved |
| Ross, Robert A. | Civil Engineer | Comity | Approved |
| VanDerostyne, David A. | Civil Engineer | Comity | Approved |
| Pippin, Brian | Civil Engineer | Comity | Approved – for Mechanical, conditional upon JQ; & Incomplete for Civil: requires PE Civil exam + 24 mos resp charge under PE Civil |
| Gillen, Brian Dwyer | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Henrie, Lance E. | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Griessmann, Ann M. | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Lee, Kenton K. | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Levy, Ariel | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Prucz, Zolan | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Schappa, Timothy J. | Civil Engineer | Comity | Approved - conditional upon Arctic |

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| | | | & JQ |
| Uchytel, Carl James | Civil Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Gormley, David Reid | Civil Engineer | Comity | Approved - conditional upon degree transcripts; & Arctic |
| Brokaw, David C. | Civil Engineer | Comity | Approved – conditional upon transcripts; verification of exams & licensure; Arctic & JQ |
| Clark, Nicholas M. | Civil Engineer | Comity | Approved - conditional upon JQ |
| Cope, Daniel Brennan | Civil Engineer | Comity | Approved - conditional upon JQ |
| Hall, Justin W. | Civil Engineer | Comity | Approved - conditional upon JQ |
| Han, Chunhua | Civil Engineer | Comity | Approved - conditional upon JQ |
| Stowe, Gary W. | Civil Engineer | Comity | Approved - conditional upon JQ |
| Huestis, John W. | Civil Engineer | Comity | Approved – conditional upon JQ |
| Dwyer, Eugene M. | Civil Engineer | Comity | Approved - conditional upon one verification of one more PE reference |
| Kearney, Eugene T. | Civil Engineer | Comity | Approved - conditional upon transcripts; Arctic & JQ |
| Walden, Robert L. | Civil Engineer | Comity | Approved – conditional upon verification of exams & licensure; & JQ |
| Axness, Daniel S. | Civil Engineer | Comity | Approved - conditional upon verification of FE & PE-Civil; & JQ |
| Crawforth, Stanley Gary | Civil Engineer | Comity | Approved - conditional upon verification of FE; & JQ |
| Weitzel, Dean C. | Civil Engineer | Comity | Approved - conditional upon verification of FE; & JQ |
| Whitaker, Keith P. | Civil Engineer | Comity | Approved - conditional upon verification of FE; & JQ |
| Wolden, Timothy A. | Civil Engineer | Comity | Approved - conditional upon verification of FE; & JQ |
| Smolens, Jonathan | Civil Engineer | Comity | Approved - conditional upon verification of FE; PE discipline; Arctic & JQ |
| Ralphs, Dean C. | Electrical | Comity | Approved |

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|-------------------------|---------------------|--------|--|
| | Engineer | | |
| Legg, Mary Lee Ann | Electrical Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Bronfield, Jefferson D. | Electrical Engineer | Comity | Approved - conditional upon degree transcripts; verification of FE & PE; Arctic & JQ |
| Bennett, Alberto | Electrical Engineer | Comity | Approved - conditional upon foreign degree evaluation; Arctic & JQ |
| Marquardt, Lloyd B. | Electrical Engineer | Comity | Approved - conditional upon JQ |
| Perfetti, Michael A. | Landscape Architect | Comity | Approved - conditional upon JQ |
| Agrimis, Paul David | Landscape Architect | Comity | Approved – conditional upon JQ |
| Crosby, Daniel C. | Mechanical Engineer | Comity | Approved – conditional upon Arctic & JQ |
| Bray, Edward L. | Mechanical Engineer | Comity | Approved – conditional upon JQ |
| Hoggan, Richard M. | Mechanical Engineer | Comity | Approved – conditional upon verification of FE & PE-Mech; current licensure; Arctic & JQ |
| Reeves, Clinton J. | Petroleum Engineer | Comity | Approved - conditional upon Arctic & JQ |
| Goodman, Terry L. | Surveyor | Comity | Approved – conditional upon AKLS |
| Luebke, Kurt A. | Surveyor | Comity | Approved - conditional upon passing AKLS |
| Mayberry, Matthew B. | Surveyor | Comity | Approved - conditional upon passing AKLS |
| Steffler, Brianna C. | Surveyor | Comity | Approved - conditional upon passing AKLS |
| Griffin, Alan J. | Surveyor | Comity | Approved - conditional upon passing AKLS |
| Porter, Sean | Surveyor | Comity | Approved – conditional upon passing AKLS |
| Williams, Richard J. | Surveyor | Comity | Approved - conditional upon AKLS |

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|--------------------------|----|------|----------|
| Ansley, Troy Taylor | FE | Exam | Approved |
| Afiero, Erovie-Oghene | FE | Exam | Approved |
| Aiken, Sarah E. | FE | Exam | Approved |
| Baldrige, Jeffrey Lucas | FE | Exam | Approved |
| Benton, Heather C. | FE | Exam | Approved |
| Billa, Steven Henry | FE | Exam | Approved |
| Bronniman, Isaac C. | FE | Exam | Approved |
| Byam, Sarah J. | FE | Exam | Approved |
| Byers, Davin J. | FE | Exam | Approved |
| Cai, Long | FE | Exam | Approved |
| Cao, Shuang | FE | Exam | Approved |
| Chen, Du | FE | Exam | Approved |
| Coleman, William Eli | FE | Exam | Approved |
| Darling, Russell J. | FE | Exam | Approved |
| Davidson, Jeremiah J. | FE | Exam | Approved |
| Deighton, Alvin L. | FE | Exam | Approved |
| Dickson III, David Harry | FE | Exam | Approved |
| Dixon, Kristoffer C. | FE | Exam | Approved |
| Dong, Cuiyu | FE | Exam | Approved |
| Dowling, Ryan Joseph | FE | Exam | Approved |
| Du, Hui | FE | Exam | Approved |

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| | | | |
| Dumas, Stephen Michael | FE | Exam | Approved |
| Edgerly, Elan McLeod | FE | Exam | Approved |
| Eide, Jeffrey C. | FE | Exam | Approved |
| Elbert, Michael D. | FE | Exam | Approved |
| Elfering, Kelsey Hale | FE | Exam | Approved |
| Elfering, Kelsey Hale | FE | Exam | Approved |
| Ferree, Nicholas B. | FE | Exam | Approved |
| Foster, Hugh D. | FE | Exam | Approved |
| Freel, Tyler Wayne | FE | Exam | Approved |
| Galang, Matthew James Dominic | FE | Exam | Approved |
| Gerlach, Thomas F. | FE | Exam | Approved |
| Goldsmith, Claire Anli | FE | Exam | Approved |
| Gonowon, Jessica Leigh | FE | Exam | Approved |
| Grieve, Russell W. | FE | Exam | Approved |
| Hankins, Larry Gregory | FE | Exam | Approved |
| Hansen, Dennis Christopher | FE | Exam | Approved |
| Hill, Aaron F. | FE | Exam | Approved |
| Holland, Jennifer C. | FE | Exam | Approved |
| Huston, Eric A. | FE | Exam | Approved |
| Jackson, Peter J. | FE | Exam | Approved |

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| Jensen, David Dean | FE | Exam | Approved |
| Ji, Hongyu | FE | Exam | Approved |
| Joseph, Samuel Christopher | FE | Exam | Approved |
| Josephson, Thomas Kye | FE | Exam | Approved |
| Kamath, Sagar V. | FE | Exam | Approved |
| Kewin, Jason C. | FE | Exam | Approved |
| Khamzina, Lyazzet Z. | FE | Exam | Approved |
| King, John Christopher | FE | Exam | Approved |
| Kivi, Debra Lynn | FE | Exam | Approved |
| Kohring, Aaron Heinz | FE | Exam | Approved |
| Kou, Tianye | FE | Exam | Approved |
| Lafarier, Tiffany Marie | FE | Exam | Approved |
| Lee, Sophia H.Y. | FE | Exam | Approved |
| Lehman, Michael Eric | FE | Exam | Approved |
| Lessley, Christopher | FE | Exam | Approved |
| Liao, Jingyi | FE | Exam | Approved |
| Lu, Yao | FE | Exam | Approved |
| Luo, Dan | FE | Exam | Approved |
| Maryjanowski, Michael | FE | Exam | Approved |
| McGill, Daniel Joseph | FE | Exam | Approved |
| Mielke, Barret Higgins | FE | Exam | Approved |

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| Miller, Rick Aaron | FE | Exam | Approved |
| Milne, Sarah Karen | FE | Exam | Approved |
| Minnema, Nathaniel James | FE | Exam | Approved |
| Mohrmann, Andrew J | FE | Exam | Approved |
| Morris, Alexander Ferdinand | FE | Exam | Approved |
| Napiontek, Jack D. | FE | Exam | Approved |
| Nash, Michael Joseph | FE | Exam | Approved |
| Nelson, Brian Patrick | FE | Exam | Approved |
| Nolin, Louis Jonathan | FE | Exam | Approved |
| Ogawa, Daniel Scott | FE | Exam | Approved |
| Okamoto, Frank | FE | Exam | Approved |
| Okamoto, Frank | FE | Exam | Approved |
| Olson, Erik Wesley | FE | Exam | Approved |
| Oluwadiya, Modupe O. | FE | Exam | Approved |
| Packa, Benjamin J. | FE | Exam | Approved |
| Parkinson, Christina Ann | FE | Exam | Approved |
| Pascual, Erichson L. | FE | Exam | Approved |
| Pate, Vernon David | FE | Exam | Approved |
| Payment, Tyler K.M. | FE | Exam | Approved |
| Pelto, Aaron Alan | FE | Exam | Approved |

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| Perez-Blanco, Jonathan | FE | Exam | Approved |
| Philemonoff, Lynelle K. | FE | Exam | Approved |
| Pollock, Gareth Daniel | FE | Exam | Approved |
| Rhodes, Michael D. | FE | Exam | Approved |
| Saettone Figeurera, Jose Miguel | FE | Exam | Approved |
| Sancheti, Richi L. | FE | Exam | Approved |
| Shulman, Jr., Mark S. | FE | Exam | Approved |
| Simpson, Aaron John | FE | Exam | Approved |
| Smith, Dustin Leverett | FE | Exam | Approved |
| Spangler, Allan Russel | FE | Exam | Approved |
| Spargur, Jeremy S. | FE | Exam | Approved |
| Teshome, Yohannes Kassa | FE | Exam | Approved |
| Thompson, Isaac David | FE | Exam | Approved |
| Tomasic, Tadeusz Casimir | FE | Exam | Approved |
| Tracy, Jacob Carlin | FE | Exam | Approved |
| Tweet, Erick A. | FE | Exam | Approved |
| Umedera, Makoto | FE | Exam | Approved |
| Untiet, Jessica L. | FE | Exam | Approved |
| Verhagen, Evelyn J. | FE | Exam | Approved |
| West, Alexandra E. | FE | Exam | Approved |
| Yagudina, Olga | FE | Exam | Approved |

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| Albertovna | | | |
| Zhang, Mingwei | FE | Exam | Approved |
| Hickey, Dylan M. | FS | Exam | Approved |
| Huenefeld, Curtis Mark | FS | Exam | Approved |
| Khachadorian, Rebeka Victoria | FS | Exam | Approved |
| Mills, Jennifer Michele | FS | Exam | Approved |
| Rencehausen, Ryan Michael | FS | Exam | Approved |
| Widmer, Kimra Laree | FS | Exam | Approved |
| Azeltine, Steven LeRoy | Surveyor | Comity | Approved – conditional upon AKLS |
| Schillinger, Max A. | Civil Engineer | Exam | Approved – conditional upon complete timeline for work experience; passing PE-Civil; Arctic & JQ |
| Roudenbush, Michael A. | Surveyor | Exam | Approved - conditional upon degree transcripts; verification of FS; passing PS & AKLS; & clearance by Investigations |
| Harrison, II, Clayton W. | Architect | Exam | Approved - conditional upon IDP; passing A.R.E.; Arctic & JQ |
| Grunau, Judith Jacqueline | Architect | Exam | Approved - conditional upon passing A.R.E.; & JQ |
| Mead, Diane Austin | Architect | Exam | Approved - conditional upon passing A.R.E.; & JQ |
| Mullin, Daniel K. | Architect | Exam | Approved - conditional upon passing A.R.E.; & JQ |
| Mangione, Melanie Frances | Architect | Exam | Approved - conditional upon passing A.R.E.; & JQ |
| Camp, Kenneth D. | Architect | Exam | Approved - conditional upon passing A.R.E.; Arctic & JQ |
| Steffler, Charles Coburn | Surveyor | Exam | Approved – conditional upon passing AKLS; & clearance by Investigations |
| Herrera, Miguel Angel | Electrical | Exam | Approved – conditional upon |

| | | | |
|-------------------------------------|---------------------|------|---|
| | Engineer | | passing FE & PE-Electrical; verification of education & Arctic course; & JQ |
| Hughes, Cory S. | Surveyor | Exam | Approved - conditional upon passing FS, PS & AKLS |
| Brouhard, Jr., Larre G., | Electrical Engineer | Exam | Approved – conditional upon passing PE- Electrical; & JQ |
| Schierman, Chad R. | Electrical Engineer | Exam | Approved – conditional upon passing PE- Electrical; Arctic & JQ |
| Johnston, Elizabeth Tiffner Beckett | Electrical Engineer | Exam | Approved – conditional upon passing PE- Electrical; verification of education; & JQ |
| Caudle, Jenifer G. | Chemical Engineer | Exam | Approved – conditional upon passing PE-Chemical; Arctic & JQ |
| Woo, Kris Leigh | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil |
| Zhao, Yuanyuan | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil |
| Baxter, Jay A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Binowangan, Ruel C. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Chalup, Coleman James | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Dinstel, Daniel A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Gehring, Quentin P. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Hart, Joshua A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Hughes, Aaron C. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Keener, Julie A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Little, Lauren M. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Llanos, Thomas Gerald | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Malto, Irene S. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Redick, Ryan Dean | Civil Engineer | Exam | Approved – conditional upon |

| | | | |
|------------------------------------|----------------|------|--|
| | | | passing PE-Civil & JQ |
| Schlichting, Sarah J. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Schulz, Charles A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Thatcher, Garrett A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Weekley, Brad A. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Welsh, Brendan M. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Yatchmeneff, Michele | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Sakeagak, Willie P. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Kodial, Prathap | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| McMullen, Craig William | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Pletnikoff, Christopher Charles | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Trivette, Marcus E. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Bourke Parker, Kathleen | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ; & payment of all fees |
| McInally, Kenneth D. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ; & payment of all fees |
| Hollatz, Jonathan Edward | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Kajdan, John S. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil & JQ |
| Layne, III, James Oscar | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic |
| Vreeland, Vernon S. | Civil Engineer | Exam | Approved - conditional upon passing PE-Civil; Arctic & JQ |
| VanEaton, Taylor Suzanne | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Byam, Deborah S. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |

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| Daniels, Boone C. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Gamradt, Raymond D. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Oshnack, Jeffrey W. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Sorbel, Branton J. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Steffert, Alan H. | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Vesotski, Jacob Paul | Civil Engineer | Exam | Approved – conditional upon passing PE-Civil; Arctic & JQ |
| Hannan, Jessica L. | Electrical Engineer | Exam | Approved - conditional upon passing PE-Electrical; & JQ |
| De Zeeuw, Adrian D. | Electrical Engineer | Exam | Approved - conditional upon passing PE-Electrical; Arctic & JQ |
| Brown, Nathan E. | Electrical Engineer | Exam | Approved - conditional upon passing PE-Electrical; payment of fees; & JQ |
| Amstadter, Kyle M. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech |
| Frank, Daniel W. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech; & JQ |
| Jernstrom, Gregory T. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech; & JQ |
| Rivera, Jon C. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech; & JQ |
| Ladegard, Jillian Diane | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech; Arctic & JQ |
| Walker, Richard M. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mech; Arctic & JQ |
| Long, Dennis A. | Mechanical Engineer | Exam | Approved – conditional upon passing PE-Mechanical & JQ |
| Bow, Kevin James | Surveyor | Exam | Approved - conditional upon passing PS & AKLS |
| Sorensen, Ryan Emil | Surveyor | Exam | Approved - conditional upon passing PS & AKLS |
| Stephen, Michael R. | Surveyor | Exam | Approved - conditional upon passing PS & AKLS |
| Oppegard, Erik M | Surveyor | Exam | Approved - conditional upon passing PS & AKLS |
| Hron, Benjamin J. | Surveyor | Exam | Approved – conditional upon |

| | | | |
|------------------------|---------------------|--------|---|
| | | | passing PS & AKLS |
| Stark, Jeremy D. | Surveyor | Exam | Approved – conditional upon passing PS & AKLS |
| Meyers, Brian Robert | Surveyor | Exam | Approved - conditional upon passing PS & AKLS; & clearance by Investigations |
| Sill, Matthew D. | Civil Engineer | Exam | Approved – conditional upon transcripts; passing PE-Civil & JQ |
| Wehr, Rodney E. | Civil Engineer | Exam | Approved – conditional upon transcripts; passing PE-Civil & JQ |
| Krizek, Joseph Victor | Mechanical Engineer | Exam | Approved – conditional upon transcripts; passing PE-Mechanical & JQ |
| Eccheverria, Francisco | Civil Engineer | Exam | Approved – conditional upon verification of FE; passing PE-Civil; & Arctic & JQ |
| Ruse, Eric C. | Electrical Engineer | Exam | Approved - conditional upon verification of FE; passing PE-Electrical; & JQ |
| Duncan, John A. | Surveyor | Comity | Approved - conditional upon verification of FS; & AKLS |
| Aimonetti, Mark A. | Surveyor | Comity | Approved - conditional upon verification of FS; & AKLS |

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Chair: All those in favor signify by saying aye. Opposed say nay.

Motion passed unanimously.

On a motion duly made by Baker, seconded by Fredeen it was

RESOLVED to find the following list of applicants for registration by comity and examination incomplete

| | | | |
|-----------------------------|------------------------|--------------------|--|
| McKinley, Joshua Garrett | Surveyor | 1-Incomp Exam | Incomplete - conditional upon additional 7 months responsible charge PS & AKLS |
| Brown, Cary Scott | Mechanical Engineer | 1-Incomp Comity | Incomplete – conditional upon one more reference letter from supervisor PE, or 24 months responsible charge verified; & JQ |
| Rowland, Isaac J. | Mining | 1-Incomp | Incomplete - conditional upon |

| | | | |
|-------------------------|---------------------|------------------------|--|
| | Engineer | Comity | verification of PE Mining exam; 16 months RC under Mining PE; & JQ |
| Garcia, Jeff W. | Surveyor | 1-Incomp Comity | Incomplete – must meet education requirement; verification of FS & PS; & AKLS |
| Elliott, Lynn Edward | Architect | 1-Incomp Comity | Incomplete – NCARB blue book or BEA; Arctic & JQ |
| Bass, Tommy L. | Surveyor | 1-Incomp Exam | Incomplete – pending clearance by Investigations for violation of 08.148.201 |
| Trickey, Brendan Roston | Civil Engineer | 1-Incomp Exam | Incomplete – requires 12 additional mos resp charge experience under PE Civil; passing PE-Civil & JQ |
| Saunders, Adam J. | Electrical Engineer | 1-Incomp Exam | Incomplete – requires additional 13 months responsible charge experience; verification of AK FE; passing PE-Electrical; JQ ; & clearance by Investigations |
| Strait, Sterling H. | Civil Engineer | 1-Incomp Exam | Incomplete – requires additional 4 mos resp charge experience; passing PE-Civil & JQ |
| Trasky, Trevor R. | Civil Engineer | 1-Incom Exam | Incomplete – requires additional 4 mos resp charge experience; PE-Civil & JQ |
| Manser, Stephen P. | FS | 1-Incomp Exam | Incomplete – requires complete official transcripts |
| Nakamura, T. Jason | Surveyor | 1-Incomp Comity | Incomplete – requires official transcripts |

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Chair: All those in favor signify by saying aye. All those opposed say nay.

Motion passed unanimously.

On a motion duly made by Shiesl, seconded by Baker it was

Resolved to accept the consent agreement in the matter of Thomas W. Spurlock, Case numbers 2010-000786 and 2010-000787.

Chair: Any discussion, comments? All in favor of the motion signify by saying aye. All opposed say nay. Abstains?

Motion passed with 8 yes and 2 abstentions.

On a motion duly made by Shiesl, seconded by Baker it was

1 **Resolved to accept the consent agreement in the matter of Tanya Bratslavsky case**
2 **number 0102-09-004.**

3
4 Chair: Any discussion, comments? All those in favor signify by saying aye. Opposed say
5 nay. Abstentions?

6
7 Motion passed with 8 yes and 2 abstentions.

8
9 **On a motion duly made by Fredeen, seconded by Baker it was**

10
11 **Resolved to deny the application of John W. Huestis. Mr Huestis did not meet the**
12 **education requirements of 12 AAC 36.063 at the time of his licensure in Montana.**

13
14 Chair: Any discussion? All those in favor signify by saying aye. Opposed say nay.
15 Abstention?

16
17 Motion passed unanimously.

18
19 **Agenda item 21 – Board Travel**

20
21 Chair: We do have a few items on the agenda. What is the pleasure of the board? Do we
22 want to do board travel? Should we ask Don to join us?

23
24 Walsh: Can we have a brief discussion before he arrives? Suggests that the use the excel
25 spread sheet show Don what we would like.

26
27 Chair: it's under 17.

28
29 Jones: Keep in mind that out of state figures will fluctuate depending on where the meeting
30 is held.

31
32 Chair: States that the board has curtailed in state travel so as to maybe have more funds
33 for out of state travel.

34
35 Hanson: Asks for an estimate of in state travel.

36
37 Jones: \$20K to \$30K.

38
39 Hanson: Notes that our out of state estimate id 60K so we our budget request is 90K.

40
41 Walsh: Recommends rounding it up to 100K to give a little cushion.

42
43 Baker: Asks if the figures include those funded by the national organizations?

44
45 Walsh: States that they don't.

46
47 A short discussion on how the funded delegate is handled between the different
48 organizations.

49
50 Chair: Notes that for all travel to date we have spend \$50,017. Don just provided an
51 estimate for total in state of \$35,765. So we are talking in the same ball park, \$100K

52
53 Habeger: Explains how he made up the excel sheet using the Boards request for last year.

1 Chair: We will save \$10K by meeting in Anchorage instead of Fairbanks. Asks to run copy
2 of the excel sheet for everyone. He then asks who wants to go to the Western Zone meeting
3 in Spokane. He asks Don if these are numbers we can use.
4

5 Habeger: Again explains how he came up with the numbers.
6

7 Eriksen: So the division came with about 20% reduction?
8

9 Habeger: Yes.
10

11 Hanson: Estimates we have about \$15K left for out of state travel for the rest of the FY.
12

13 Chair: Asks Don if he is holding us to that \$42K figure?
14

15 Habeger: Explains that as more boards move their meetings to Anchorage any savings
16 would become discretionary funds.
17

18 Chair: Recites the priority order for the WZone meeting in Spokane – Baker, Heieren,
19 Kelley. Baker is the funded delegate, Alicia do you want to go? Brian?
20

21 Hanson: We may be getting ahead of ourselves.
22

23 Chair: Again we'll just submit who wants to go and then work from the bottom up. Harley
24 and Richard do you have a preference? Harley chooses WCARB and Richard chooses
25 National. They want to go to both but will split them if they can't attend both. He continues
26 to work out priority lists for the upcoming meetings.
27

28 Jones: So WZone = Cliff, Richard, Alicia, Brian and Eric. WCARB we have Harley and
29 Richard. NCARB we have Richard and Harley. CLARB we have Bert. He then explains
30 how the division can add funds to our yearly dues to build a travel fund with CLARB.
31

32 Chair: Thanks Don for his input.
33

34 **Agenda item 25 – Calendar of Events** 35

36 Chair: \$10K is a lot of money. I really like the idea of just having the meetings in
37 Anchorage.
38

39 Walsh: Points out that time of year affects on the cost.
40

41 Jones: The actual costs may come in less because I use a flat \$200 per night for hotel and
42 it's often less than that.
43

44 Chair: Confirming the dates for May 5th and 6th in Anchorage. August is 11th and 12th in
45 Anchorage. Do we want to set a date for November?
46

47 Jones: Asks that the November meeting be scheduled for the 3rd and 4th.
48

49 Chair: Ok, tentative dates for November is the 3rd and 4th. February is still too far out. That
50 kind of finishes out the agenda except we are in a position now to talk about the regulations
51 and what you want to do with those. Does anybody have a motion they'd like to make?
52

53 **Agenda item 10 – Regulations Update** 54

1 Jones: Jun advised that you could consider the comments sent to the Governor since they
2 were receive before the deadline so I'll go make copies.

3
4 Baker: Suggests that we take 2, 3, 4, 5 and 6 first and do the one on branches by itself.

5
6 A short discussion on the order to take them.

7
8 **On a motion duly made by Baker, seconded by Hightower it was**

9
10 **Resolved to address Architect education standard 12 AAC 36.061, Seals 12 AAC**
11 **36.180, the use of seals 12 AAC 36.185, continuing education for surveyors 12 AAC**
12 **36.400 and continuing education for architects, engineers, surveyors and landscape**
13 **architects 12 AAC 36.500.**

14
15 Chair: Clarification, is that a motion to approve those as advertised?

16
17 Baker: Yes.

18
19 Chair: And does the second agree to that?

20
21 Hightower: Yes.

22
23 Chair: Is there any discussion?

24
25 Fredeen: Could we go through these one by one so we know what we're talking about
26 here?

27
28 A short discussion followed on which regulations were going to be discussed and how the
29 motion should read.

30
31 Baker: Asked to drop 12 AAC36.180 Seals from his motion.

32
33 Hightower: The second agrees.

34
35 Chair: I will read the motion again. Cliff made a motion that we address and adopt 12 AAC
36 36.061 architect education requirements, proposed to change the NCARB Education
37 Standard. Number four 12 AAC 36.185 Use of Seals is proposed to alter requirements in
38 use of the seals. Number five 12 AAC 36.400 – 12 AAC 36.450 Continuing Education for
39 Professional Land Surveyors is proposed to be repealed and substance moved to appear in
40 12 AAC 36.500 through 12 AAC 36.550. Item six 12 AAC 36.500 – 12 AAC 36.550
41 Continuing Education for Professional Architects, Engineers, Land Surveyors and
42 Landscape Architects is proposed to be changed to alter the continuing education
43 requirements for professional architects, engineers, land surveyors and landscape
44 architects. Does everyone understand the motion? Are there any questions or comments?
45 We can go around the room.

46
47 Fredeen: I have a proposed amendment to 12 AAC 36.185. This is on page 3 middle of the
48 page. This is the section in regards to the electronic signature and wet signage. I propose
49 to delete the first sentence that reads all final drawings, specifications, surveys, plats, plates,
50 reports and similar documents must include a seal and signature. Move to amend.

51
52 **On a motion duly made by Fredeen, seconded by Hightower it was**

53
54 **Resolved to amend the proposed change to 12 AAC 36.185 to delete the first sentence**

1 **that reads “All final drawings, specifications, surveys, plats, plates, reports and**
2 **similar documents must include a seal and signature.**

3
4 Fredeen: And the reason for that is if we pull out our original regulation, unfortunately I'm
5 just noticing this now, it's in 12 AAC 36.185 on page 28. That verbiage almost exactly
6 except for the specifications is almost exactly noted under (a)(3). So to resolve the issue we
7 were having earlier today or yesterday regarding the specifications that might be one of
8 addressing it.

9
10 Chair: Are there any further discussions on that amendment?

11
12 Hanson: Asks for clarification.

13
14 Fredeen: Repeats his amendment.

15
16 Lent: Asks if this change will go in the Guidance Manual?

17
18 Rearick: Notes the difference in language between this and the original and asks if this
19 means only final drawings can be stamped?

20
21 Lent: That was the intent. We do not want people to sign and seal preliminary plans.

22
23 Hanson: Disagrees and points that under the FAQ's it says it's ok to seal and sign
24 preliminary plans as long as they are marked as such. So that's contradictory to number 3.

25
26 Baker: Thought that it had already been established that some municipalities wanted to see
27 a seal on 95% drawings.

28
29 Hanson: the Corps is an example of that. They require all documents be stamped.

30
31 Hightower: We have coordinated that with the Carol at the Fire Marshalls Office and she
32 said it's ok to seal 95% documents.

33
34 Chair: Interjects that the amendment can't be taken out of context and then reads the
35 paragraph in question. He then states that he thinks it's dealing with two different topics and
36 that he doesn't think it is wrong to leave the sentence in and is opposed to the amendment.

37
38 Fredeen: Offers clarification that the paragraph is dealing with electronic signatures. And
39 feels that they are getting off subject in that the scope of this paragraph was regarding how
40 to deal with electronic signatures.

41
42 Hanson: Offers that it be changed to say all final documents must contain a seal and
43 signature.

44
45 Fredeen: That would be a friendly amendment as far as I'm concerned.

46
47 Chair: Asks Hanson to restate the friendly amendment.

48
49 Hanson: Strike through drawings, specifications, surveys, plats, plates, reports and similar
50 so it would read all final documents must include a seal and signature.

51
52 Hightower: Second agrees.

53
54 Chair: Any further discussion?

1
2 Jones: That wording was put in because that's exactly what the Statute says.
3
4 Chair: I think it meets the intent of the Statute with the rewording. Gayle always tells us we
5 can't restate Statutes.
6
7 Chair: The motion on the floor is to amend 12 AAC 36.185 to add a section (f) and change
8 that to read all final documents must include a seal and signature etc. Does everyone
9 understand the amendment? All in favor say aye. All opposed say nay.
10
11 Motion to adopt changes to 12 AAC 36.185 as amended passed unanimously.
12
13 Chair: Now we have on the table a motion dealing with 12 AAC 36.06, 12 AAC 36.185
14 which we just amended. 12 AAC 36.400 – 450 and 12 AAC 36.500- 550. Does everyone
15 understand the motion? Any questions or statements?
16
17 Walsh: The issue on architectural education. Is that relevant to 8N?
18
19 Hightower: it's relevant to it but won't affect it.
20
21 Walsh: Brings up the public comments regarding allowing service on boards.
22
23 Chair: That wasn't part of the advertised, that is already in place isn't it?
24
25 Hanson: Explains that it was in the surveying regulation but not the engineering regulation.
26 So when we combined the two several items from the surveying regulation were carried
27 over.
28
29 A short discussion ensued on the public comments regarding combining the regulations and
30 the amount of credit given for certain types of CE and the difference between a course credit
31 and a semester credit.
32
33 Fredeen: Points out that the verbiage used says societies and so service on the State
34 Board could not be used.
35
36 Discussion continues.
37
38 Fredeen: Call for the Question.
39
40 Call for question passed.
41
42 Chair: Rereads the motion. Move to adopt 12 AAC 36.061 Architect Education
43 Requirements as advertised. 12 AAC 36.185 Use of Seals as amended. 12 AAC 36.400-
44 450 Continuing Education for Professional Land Surveyors is repealed. 12 AAC 36.500 –
45 550 Continuing Education for Professional Architects, Engineers, Land Surveyors and
46 Landscape Architects as advertised in the public notice. All in favor say aye. Those
47 opposed say nay. Abstentions? Eric abstains.
48
49 Motion passed with 9 ayes one abstention.
50
51 **On a motion duly made by Brownfield, seconded by Shiesl it was**
52
53 **Resolved to adopt the proposed changes to 12 AAC 36.015, 12 AAC 36.180, and 12**
54 **AAC 36.990.**

1 Chair: Discussion?
2

3 Brownfield: Asks to discuss sections of them separately and starts with 12 AAC 36.990 (a)
4 (3), (4), (8), (9), (10) and (12) Under article 6 general provisions. I propose we accept these
5 changes.
6

7 Hanson: Suggests that all definitions should be formatted the same.
8

9 Walsh: Suggests that the general language such as “research, organizational and
10 economic” that appears in the old definitions be used in all definitions for uniformity.
11

12 **On a motion duly made by Hanson, seconded by Walsh it was**

13
14 **Resolved to make the definitions consistent be eliminating use of (A), (B), (C) etc.**
15 **within the definitions provided in 12 AAC 36.990 under chemical, mechanical,**
16 **environmental and control systems engineering.**
17

18 Chair: All in favor say aye. All opposed say nay. Any Abstentions.
19

20 Motion passed unanimously.
21

22 Brownfield: I would like to move on to the second one.
23

24 Chair: There is a motion on the floor and by Roberts Rules it is ok to split them out and by
25 that I mean you need to make a motion on each segment you want us to vote on at a time.
26

27 **On a motion duly made by Brownfield, seconded by Baker it was**

28
29 **Resolved to adopt 12 AAC 36.990(a) (17) amend it to read Professional engineering**
30 **includes the branches of agricultural engineering, architectural engineering, chemical**
31 **engineering, civil engineering, control systems engineering, electrical engineering,**
32 **environmental engineering, fire protection engineering, industrial engineering,**
33 **mechanical engineering, metallurgical and materials engineering, mining and mineral**
34 **processing engineering, naval architecture and marine engineering, nuclear**
35 **engineering, petroleum engineering and structural engineering.**
36

37 Brownfield: Suggests that they discuss each by itself. The first is agricultural engineering.
38

39 Walsh: Asks if there is any evidence that there is a demand for agricultural engineering in
40 the State?
41

42 Brownfield: Argues in favor citing the agriculture in the Matsu Valley.
43

44 Chair: Reads the definition of agricultural engineering.
45

46 Shiesl: Shares an encounter he had with someone who designed and built green houses
47 and referred to themselves as an agricultural engineer.
48

49 Jones: States that he knows of at least two who have applied by comity and had to come in
50 as civil engineers.
51

52 Chair: Feels that the Board has to be visionary in this. We have to think of the future, food
53 is essential and it's an important profession.
54

1 Baker: Points out that we may not have seen some of these branches because we don't
2 regulate them so people don't ask for them.

3
4 Eriksen: Notes that when considering this in committee the thought was not so much are
5 we using this today but is there a potential for it.

6
7 Chair: Any further discussion. I'm going to handle this like a friendly amendment. All those
8 in favor of adding agricultural engineering signify by saying aye. All opposed say nay. Any
9 abstentions?

10
11 Jones: You have a motion already on the floor. You can discuss each one and you don't
12 need to make any further motions unless you change something or table one of them.

13
14 Brownfield: The next one is architectural engineering.

15
16 Baker: Argues to change it from architectural engineering to engineering of architecture.

17
18 Rearick: Disagrees that that would clarify anything.

19
20 **On a motion duly made by Walsh, seconded by Hightower it was**

21
22 **Resolved to delete architectural engineering from the change to 12 AAC 36.990(a)(17)**
23 **and (35)**

24
25 Chair: Discussion?

26
27 Baker: Suggests that it be tabled instead of deleted.

28
29 Fredeen: Believes that there will be more negative feedback if we go forward with it in.

30
31 Brownfield: Can argue both sides of the issue but doesn't believe it is necessary at this
32 time.

33
34 Eriksen: Questions why we would not allow it but has softened his position due to the public
35 comments received.

36
37 Hanson: Believes that most of the negative comment is just turf protection but that there
38 were some good points brought out against. He doesn't see the detriment to the public
39 HSW by allowing it to stay or that it is going to improve anything.

40
41 Shiesl: Thinks that it will confuse the public.

42
43 Lent: Thinks it would be confusing and difficult to administer.

44
45 Rearick: Argues again that Penn State has a robust architectural engineering program yet
46 their state doesn't license architectural engineers. He finds that very curious considering the
47 lobbying effort they must get from their university.

48
49 Hightower: Reads the definition and states that in his view that gives the individual the right
50 to practice all those branches and that no one is that well educated and experienced. He
51 believes that we have enough trouble with architects and engineers practicing outside their
52 areas of expertise and that this would almost give them that authority. He adds that some
53 are dual licensed in say architecture and structural engineering but that most only practice
54 one because it's so hard to keep up with both.

1 Walsh: Doesn't see the need for architectural engineering in this state or any demonstrated
2 impact on HSW.
3
4 Eriksen: Thinks that it is still up to the individual's ethics to practice in their area of expertise
5 and his reason for softening his view and possible not voting to keep this one is more along
6 the lines of Dan's argument.
7
8 Chair: Any further discussion? He re-reads the amendment to delete architectural
9 engineering. All in favor say aye. All opposed say nay. Any abstentions?
10
11 The motion passed with 7 ayes, 2 nays and 1 abstention.
12
13 Brownfield: Next new item is control systems engineering.
14
15 Shies: Asks for the definition to be read.
16
17 Chair: Reads the definition.
18
19 Shies: Asks if there is any other branch that encompasses that?
20
21 Hanson: Electrical and mechanical.
22
23 Walsh: Asks for Eric and Craig to comment on this.
24
25 Fredeen: States that it is more in the industrial arena. Believes it would be a good branch
26 for Alaska to keep those electrical engineers that know about the controls but not the valves
27 and those mechanical engineers that know about the valves but not so much the controls
28 safe.
29
30 Eriksen: Agreed.
31
32 Baker: Believed it is a critical area that electrical or mechanical engineers might not be the
33 best choice for and uses the fertilizer plant near Kenai as an example.
34
35 Chair: Environmental engineering is next. Reads the definition.
36
37 Lent: Pointed out that landscape architects do most of the things an environmental
38 engineers does.
39
40 Fredeen: Asks if the Board intends to have any grandfathering provisions in place when
41 these are implemented?
42
43 Brownfield: Thinks it is a consideration for all branches that have sub-disciplines. If
44 someone has been practicing a discipline and has met the three legged stool they can
45 continue to practice it.
46
47 Hanson: There is no three legged stool for this as we haven't allowed the environmental
48 exam. They have to take the civil exam.
49
50 Chair: He means anyone presently registered as civil that is practicing environmental can
51 continue to do so. If they want to call themselves an environmental engineer they would
52 have to meet the three legged stool.
53
54 Baker: Thinks the board needs to address the geologist aspect of environmental

1 engineering and that he doesn't feel the HSW of the public is being protected by the
2 certificate the geologists hold.

3
4 Chair: Asks if everyone understood what he said earlier about grandfathering. He doesn't
5 want anyone that is presently practicing a discipline now not to be able to continue.

6
7 Hanson: Points out, that civil engineers that have been practicing environmental are going
8 to want that two letter designation. And we are going to tell them they can continue as a
9 civil but can't get the environmental designation without taking the test even though they
10 have been doing it for 20 years.

11
12 Chair: Unless you have a solution.

13
14 Brownfield: Mentions several upcoming projects like the gas line, hydropower projects that
15 will require detailed environmental assessments and that it would be absolutely backwards
16 not to recognize environmental engineering. He thinks this a strong branch to have in this
17 State.

18
19 Baker: Agrees with Brian and has friends that had to come in as civil and once the
20 environmental is effective they are going to want to change and they haven't had to
21 opportunity to take the environmental exam because of our present system. There should
22 be an avenue for them to get the designation if they have the experience, they have to prove
23 it to us but they shouldn't have to take an exam after 25 years in the field.

24
25 Hanson: That's my point exactly. We don't have any environmental engineers. How is
26 anyone going to get the experience to qualify? It's not just environmental it's all of them.
27 We need to think about implantation.

28
29 Eriksen: Feels they have the means, they can take the test or they can continue to practice
30 as a civil.

31
32 Brownfield: Feels it applies to all the branches that have multiple disciplines. They can
33 continue as they are but they can't change their branch without going through the process.

34
35 Shiesl: Agrees with Eric and Bo.

36
37 Rearick: Agrees with Bo regarding bringing in new talent and letting people continue as
38 they have been but he also agrees with Cliff in that there should be a mechanism for them to
39 change if they are qualified by years of experience.

40
41 Jones: Points out that there are a lot of people that came in by comity that had already
42 taken the environmental or control systems or structural examination but we made them
43 take the civil or electrical or mechanical examination. So they already have the three legged
44 stool. It's those who were not already licensed that we made take the civil, electrical, etc.
45 that will have a problem.

46
47 Eriksen: Adds that structural engineering takes extra education and testing and some
48 people that have been practicing as civil/structural may not qualify for the SE designation.

49
50 Rearick: Points out that some are practicing as civil because we didn't have structural and
51 they may have the education and experience and to tell them they have to take another test
52 after they've been practicing for 15 years or more isn't fair.

53
54 Hightower: When these people can in to practice environmental we forced them into civil

1 and we accepted their education, experience and examination and I don't see how we can
2 take that away from them now.
3
4 Chair: We are not closing the door on civil engineers that are licensed from practicing
5 environmental engineering.
6
7 Baker: But you are keeping them from having that two letter designation. They can't
8 advertise as a structural or control systems engineer. What I'm getting at is we have had
9 people come up here with the education in environmental or structural engineering but they
10 couldn't take that test they had to take the civil. So if they have been doing this for 15 or 20
11 years and can show us that work and have references we shouldn't deny that but they have
12 to apply to the Board for it.
13
14 Fredeen: Agrees that it is a problem and suggests that we either table the whole thing or
15 adopt it and work out the details latter.
16
17 Walsh: Agrees and suggests we move on.
18
19 Chair: We are all stating problems but no one has come up with a solution. Do we want to
20 table this? I don't want to stop anyone from practicing as they have been but I also don't
21 want to stop all these other branches from coming in.
22
23 Brownfield: The question is do we want environmental engineering or not? We can work
24 out those details latter. Tabling these is not the right thing to do. We need to adopt these
25 and then work out the details. We need to continue on and then we can work out the
26 implementation.
27
28 Chair: Does anyone want to make an amendment motion on environmental engineering?
29 Hearing none let's move on to the next branch. He then reads the definition of fire
30 protection engineering.
31
32 Baker: Says the Fire Marshalls Office feels this is a needed profession to work hand in
33 hand with NICET and he thinks it is a good move forward.
34
35 Walsh: Notes that this was one of the three branches that we were going to add before and
36 he favors adding it.
37
38 Brownfield: Thinks we should add it. He feels that the folks that spoke against it were
39 clearly concerned with their turf and that we have a Statute that protects what they are
40 permitted to do. The Fire Marshall thinks we need both so in order to give Alaska the best
41 there is to offer we need to bring the FPE into our fold.
42
43 Fredeen: Reminds the Board that the Fire Marshall will be working on some regulations
44 changes and wonders if that might refine the definition of FPE.
45
46 Brownfield: Disagrees that it will change the definition that there is room for both
47 professions.
48
49 Chair: Reads the definition of industrial engineering and asks for comments.
50
51 Eriksen: Thinks this is very similar to architectural even though it didn't say electrical and
52 mechanical they will be doing that.
53
54 Hanson: Points out that there are industrial engineers in Alaska already. He doesn't think it

1 is anywhere near architectural engineering. It's kind of like control systems, its sounds the
2 same but is entirely different.

3
4 Hightower: Would support adding this and says the oil companies use them without them
5 being licensed because they are exempted by exemption 10. Maybe by adding them we
6 can get rid of exemption 10.

7
8 Lent: Adds that his cousin is an industrial engineer and that the definition is exactly what
9 they do. It's a very good definition.

10
11 Chair: Reads the definition of metallurgical and materials engineering and asks for
12 comments.

13
14 Brownfield: Asks Walsh if there is a significant difference between this and mining and
15 mineral processing engineering?

16
17 Walsh: Reminds Brownfield that when they were writing the definitions they pulled language
18 out of this one that conflicted with mineral processing and thinks that there would be more
19 overlap between this and industrial engineering than with mining and mineral processing.
20 He sees this as being more along the lines of metal fabrication.

21
22 Chair: Any other comments? He then reads the definition of mining and mineral
23 processing engineering.

24
25 Hanson: There were just minor edits to that one and we added mineral processing.

26
27 Chair: Any comments or questions? Naval architecture and marine engineering.

28
29 Eriksen: Points out that Alaska has more coastline than the rest of the U.S. and thinks it
30 would be a disservice no to have this one.

31
32 Rearick: Adds that naval architecture is quite different than architecture and he has no
33 problem with including it.

34
35 Chair: Any questions? He reads the definition of nuclear engineering.

36
37 Brownfield: Thinks we should add this branch but doesn't see a large influx of nuclear
38 engineers immediately. He points out that we have had nuclear plants in Alaska in the past,
39 that it is a clean form of energy and sees it as a need for the future.

40
41 Eriksen: Adds that there are proposals out there for nuclear energy ideas within the state
42 and that having this expertise would help in evaluating those proposals and that it could
43 complement the naval aspect.

44
45 Chair: Any other comments? He then reads the definition of structural engineering and
46 asks for comments.

47
48 **On a motion duly made by Fredeen, seconded by Hightower it was**

49
50 **Resolved to table the adoption of the structural engineer license for additional review**
51 **of educational and testing requirements related to the license.**

52
53 Brownfield: Is against holding this up. He thinks that is more important to get on record
54 that we support structural engineering and work out the details later. He points out that

1 there is only one University that offers an ABET BS in structural engineering.
2
3 Hightower: Seconded the motion but agrees with Brownfield in that we need structural
4 engineering and the implementation can be worked out later.
5
6 Fredeen: Feels it should be held back at least one meeting to address the educational
7 tables and to allow structural engineering companies to get their paperwork in line and there
8 is no NCEES exam for structural until April 1st.
9
10 Hanson: This is just a nuance of the implementation that we spent way too much time on
11 earlier. I know we want to get this stuff out there but there are a lot of things we have not
12 worked through.
13
14 Rearick: Thinks we have time between now and the next meeting to work on those issues
15 because this isn't going to be law tomorrow.
16
17 Jones: Points out that this has to go through a vetting process with the AG's office and even
18 if they don't find any problems it will not be effective until 30 days after the Lt. Governors
19 signs it.
20
21 Chair: Suggests that we put an implementation date that would be after the next meeting.
22
23 There was a short discussion regarding implementation dates.
24
25 Jones: Thinks that our present path to licensure would work for structural engineers. It
26 could be refined later on but what we have right now will work.
27
28 The discussion continued regarding civil engineers themselves structural engineers and
29 putting an implementation date on the regulation.
30
31 Baker: Calls the question.
32
33 Jones: Re-reads the amendment to the motion.
34
35 Chair: All in favor of the question? Passes.
36
37 Jones: Re-reads the amendment to the motion.
38
39 Chair: Does everyone understand the motion? All in favor signify by raising their right hand.
40 1 in favor. The motion to table fails.
41
42 **On a motion duly made by Baker, seconded by Walsh it was**
43
44 **Resolved to table 12 AAC 36.185, 12 AAC 36.180, 12 AAC 36.990 as amended until our**
45 **next meeting.**
46
47 Brownfield: If we failed to table one of them I don't understand what we are doing. There is
48 no reason to table it. He feels we must make a commitment that we've done a lot of work on
49 this and there is no need to go back and do nothing until just before next meeting.
50
51 Eriksen: Is in favor of working on an implementation date but not on tabling the motion. In
52 fact if we table it now can we even continue on with discussions on it?
53
54 Chair: No.

1
2 Baker: Clarifies that he does not want to revisit every one of these but is concerned about
3 implementation if it goes right through the process to the Lt. Governor before we have a
4 chance to work out the details.

5
6 Chair: Asks Jones if it could come back to the board after the AG reviews it?

7
8 Jones: Normally it would only come back if the AG made significant changes or there was a
9 legal problem with some aspect of it. If there is nothing wrong it could go right through but
10 with past experience I don't see that happening.

11
12 Brownfield: Doesn't see any reason not to continue and get this completed.

13
14 Eriksen: Agrees with Bo and suggests that this motion should be voted down and a motion
15 made regarding an implementation date.

16
17 Hanson: Asks if the motion could be withdrawn until after a little more discussion.

18
19 Baker: I'll withdraw the motion.

20
21 Jones: Points out that Bo make a good point earlier in that most of the board's work gets
22 done two weeks before the meeting and if passing this is the incentive you need to get it
23 done than that's what you should do.

24
25 Walsh: Feels that that is exactly the reason we shouldn't rush into this. We should take the
26 necessary time to get all these issues addressed and dealt with.

27
28 Brownfield: Asks if he is suggesting tabling or an implementation date?

29
30 Walsh: I'm just saying we want to give ourselves plenty of time before this is implemented.

31
32 Brownfield: Thinks an implementation date is a fine idea.

33
34 Chair: Concurs. He then asks Bo if he wants to address 12 AAC 36.180?

35
36 Brownfield: Wants to leave the regulations as it presently reads and add two letter
37 designation for the additional branches of engineering.

38
39 **On a motion duly made by Fredeen, seconded by Hightower it was**

40
41 **Resolved to amend the proposed regulations to remove the brackets and retain the**
42 **original language in 12 AAC 36.180(b).**

43
44 Brownfield: I would make a friendly amendment to add the two letter branch identification
45 for professional engineering branches reflected in the supplemental notice of proposed
46 changes to 12 AAC 36.180(b) agricultural engineering (AG), control systems engineering
47 (CS), environmental engineering (EV), fire protection engineering (FP), industrial
48 engineering (IN), metallurgical and materials engineering (MM), naval architecture and
49 marine engineering (NM), nuclear engineering (NU), structural engineering (ST).

50
51 Chair: Does the maker of the motion agree to the friendly amendment? And does the
52 second agree? (both agreed)

53
54 Fredeen: Suggests that structural engineering be (SE), Brownfield agrees.

1
2 Chair: It seems like this body is leaning toward adoption with an implementation date. All of
3 those in favor signify by saying aye. All those opposed say nay. Any abstentions?
4

5 Motion passed unanimously.
6

7 Brownfield: Asks about voting on the original motion.
8

9 Chair: I'm looking for a friendly amendment to be made to set an implementation date.
10

11 Hanson: Do we want to discuss item 1, 12 AAC 36.015 while the date is being decided.
12

13 Walsh: On the implementation date do we need to include 12 AAC 36.015?
14

15 Chair: Yes. He repeats the main motion.
16

17 **On a motion duly made by Walsh, seconded by Hanson it was**
18

19 **Resolved to amend the main motion to set an enabling date for 12 AAC 26.180 Seals,**
20 **12 AAC 36.990 Definitions, and 12 AAC 36.015 Branches of Professional Engineering**
21 **to August 31, 2011.**
22

23 Chair: Is there any discussion. He assigns each board member to one of the three
24 branches with implementation issues. Any questions or discussion on the motion on the
25 floor as amended?
26

27 Jones: You have two motions on the floor.
28

29 Chair: Any questions on the date? All in favor of the amendment? All opposed?
30 Abstentions?
31

32 The amendment passed unanimously.
33

34 Chair: Discussion on the main motion?
35

36 Baker: Thinks there may be a avenue in 12 AAC 36.015 to address the grandfathering
37 issue.
38

39 Brownfield: Recaps the thought process that went into 12 AAC 36.015.
40

41 Walsh: Feels this was drafted to deal with General Engineering and feels it should go away.
42

43 **On a motion duly made by Walsh, seconded by Hanson it was**
44

45 **Resolved to amend the main motion to delete 12 AAC 36.015 Branches of**
46 **Professional Engineering.**
47

48 Chair: Any further discussion? All those in favor of removing 12 AAC 36.015 signify by
49 saying aye? All opposed say nay. Any abstentions? Eric abstains.
50

51 Motion passed with one abstention.
52

53 Chair: Back to the main motion with amendments. Any further discussion? This will add
54 210 days to the implementation date.

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Rearick: Please re-read the motion.

Chair: First is 12 AAC 36.180 Seals, all the letter designation will be retained as they are now with the addition of the new branches along with 12 AAC 36.990 Definitions to those new branches as amended. Does everyone understand the motion? Any further discussion? He asks for a roll call vote.

- Baker – yes
- Brownfield – yes
- Eriksen – abstain
- Fredeen – abstain
- Hanson – yes
- Heieren – yes
- Hightower – yes
- Rearick – abstain
- Shiesl – yes
- Walsh – yes

Motion passes with 7 yes and 3 abstentions.

Chair: Suggests that the Board engage everyone they possibly can in working out the details of implementation.

Hanson: Asks what they can discuss since this isn't law yet?

Chair: Anything, the public notice is over, we've adopted the regulations.

On a motion duly made by Lent, seconded by Baker it was

Resolved to postpone the due date for the annual changes to the Guidance Manual to August 31, 2011, for the 2011 year only.

Chair: Any discussion? All in favor signify by saying aye. All opposed say nay. The motion carries.

Agenda item 26 – Board Member comments.

Brownfield: Comments that this is one of the toughest meetings we've had. He enjoys being with this group and apologizes for getting red faced occasionally but he tries to keep it professional and it's always coming from the heart. He compliments staff.

Fredeen: Hats off and huge accolades to Mr. Brownfield for his work on the regulation changes and thanks him for putting up with him and accolades to the staff also.

Baker: Accolades to Brownfield and looking forward to working with everyone for the next year.

Eriksen: Glad he could take part in this event. Thanks Richard for keeping things on track. Appreciates the opportunity to serve on the Board.

Hanson: Feels it was a good meeting and that more was accomplished than he thought would be. Good job Bo and everyone else who worked on this. Richard you can finally say in August that we are going to have structural engineers and you won't have to be

1 embarrassed about that anymore.

2

3 Shiesl: Comments that it was the most productive meeting he has been at and he is very
4 happy to be a part of this group.

5

6 Lent: Thinks it was a fantastic meeting. Accolades to Mr. Brownfield. Thanks the Chair and
7 staff.

8

9 Rearick: Appreciates this process because it caused him to do a lot of research he wouldn't
10 otherwise have done and gave him a new understanding and education on the other
11 disciplines. He salutes the colonel in Bo because without the colonel we probably wouldn't
12 have gotten where we did today.

13

14 Hightower: Echo's the praise for Bo for all his efforts and thanks the Board for the
15 confidence they put in him by electing him Chair for next FY. He is happy that Richard will
16 be Vice-Chair and Eric secretary. He thanks all.

17

18 Walsh: Congratulates all the new officers. He congratulates all the proponents for adding
19 the additional branches. He was pretty neutral on most. He thinks that with all the
20 amendments that were made that we are at a good place. Thanks the staff and hopes Vern
21 doesn't take his comments on the budget personally.

22

23 Kelly: Enjoys working with the Board very much. She acknowledges the thanks from the
24 Board. Acknowledged the hard work the Board did on the General Licensure issue.

25

26 Jones: Tells Dan not to worry, he doesn't take things like that personal. Tells the Board
27 they did a good job. Glad to see these changes passed and hope they make the hurdle of
28 Law and thinks they will be good for the State. You guys usually help clean up, don't worry
29 about that, you have planes to catch, Alicia and I can take care of it.

30

31 Chair: Feels this is a historic moment for the State of Alaska and he's proud to be a small
32 part of it and he thanks everyone for their participation. Thanks staff for their work.

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35 5:07pm Meeting Adjourned.

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Respectfully submitted:

Richard V. Jones, Executive Administrator

Approved:

Richard C. Heieren, PS, Chair
Board of Registration for Architects,
Engineers and Land Surveyors

Date: _____